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PUBLIC RECORD

OF

PERRY BELMONT

A

MEMBER

OF THE

HOUSE OF REPRESENTATIVES

IN THE

47TH · 48TH · 49TH · 50TH CONGRESS

VOL. III

EMBRACING THE RECORD OF THE 49TH CONGRESS, FROM JANUARY, 1886, TO MARCH, 1887.

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FORTY-NINTH CONGRESS—FIRST SESSION.

APPOINTMENT ON STANDING COMMITTEES.

HOUSE OF REPRESENTATIVES.

January 7, 1886.

The SPEAKER ANNOUNCED THE FOLLOWING STANDING COMMITTEES:

COMMITTEE ON FOREIGN AFFAIRS.—Messrs. Belmont (Chairman), Clements, Cox, Singleton, Worthington, Daniel, McCreary, Crain, Rice, Wait, Ketcham, Phelps and Hitt.

LIMITING THE EXACTION OF CONSULAR FEES.

January 8, 1886.

Mr. BELMONT INTRODUCED THE FOLLOWING BILL, TO LIMIT THE EXACTION OF FEES OR THE LEVY OF TAXES FOR THE CONSULAR VERIFICATION AND AUTHENTICATION OF INVOICES.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled:

That from and after the passage of this act no consular officer of the United States shall exact, or be concerned in exacting, a fee or tax in excess of the sum of $2.50, prescribed by section 2851 of the Revised Statutes, for verifying or authenticating, under sections 2853, 2854 and 2855, or any other laws, an invoice of merchandise to be imported into the United States; and in any countries in which the consular officers of the United States are, or shall be, not permitted by the laws of such countries to administer oaths therein, no oaths shall be required by consular officers in the verification or authentication of invoices, but a declaration of the truthfulness of the invoice in every particular, made by the person producing the same, as required by section 2855 of the Revised Statutes, shall be sufficient; and triplicate or quadruplicate copies of all invoices of one and the same importation shall, for the purpose of said fee or tax, be deemed and considered as one invoice, it being the intent and purpose of this act to relieve and protect merchandise destined for the United States from any other or higher consular tax than aforesaid.

§ 2. That any consular officer who exacts or receives or knowingly assists in the exaction of any greater sum than $2.50 for the verification or authentication referred to in the first section of this act, either under the pretense of administering an oath or causing an oath to be administered, or for any other purpose, shall be punished as is defined and provided by section 1717 of the Revised Statutes.

TREASURY DEPARTMENT,
January 23, 1886.

Hon. PERRY BELMONT, *House of Representatives:*

Sir.— I have examined the bill "to limit the exaction of fees or the levy of taxes for the consular verification and authentication of invoices," which you left with me yesterday.

I approve of the provisions of said bill, which, if it becomes a law, will release importers from a vexatious tax.

Respectfully yours,

C. S. FAIRCHILD,
Acting Secretary.

REPORT ON THE CONSULAR FEE BILL.

February 9, 1886.

Mr. BELMONT, FROM THE COMMITTEE ON FOREIGN AFFAIRS, SUBMITTED THE FOLLOWING REPORT UPON THE BILL (H. R. 4188), TO LIMIT THE EXACTION OF FEES OR THE LEVY OF TAXES FOR THE CONSULAR VERIFICATION OF INVOICES.

The purpose of the proposed enactment is in accord with that portion of the President's message relating to reforms in the consular service, which, by resolution of the House, was referred to the committee. The evil sought to be remedied is discussed by the Hon. Daniel Manning, Secretary of the Treasury, in his report for the fiscal year last ended, pages 9 to 15, and is set forth more in detail in the Appendix to said report, pages 352 to 359.

Briefly summarized, the object of the bill is to prevent the exaction hereafter of any fee in excess of the fee of $2.50, prescribed by section 2851 of the Revised Statutes, for verifying an invoice of merchandise to be imported into the United States, and to substitute a declaration for an oath in countries where consular officers of the United States are not permitted by the laws of such countries to administer oaths therein. Its operation will be chiefly confined to the ports of Great Britain; its purpose is to relieve American importers from extra-official charges now levied upon them for *jurats* taken before British officials, under American law, amounting, at the lowest computation, to nearly $100,000 a year. The fee of $2.50, prescribed by section 2851, Revised Statutes, is required by law to be covered into the Treasury of the United States, and forms a large item in the receipts from our consular service. No revenue is derived by the United States from the extra-official fees now sought to be abolished.

On pages ix and x of the report of the Secretary of the Treasury for the last fiscal year is a brief history of the legislation of Congress with respect to the verification of invoices by consular officers. In Ex. Doc. No. 122, Forty-seventh Congress, first session, pages 4 to 10, the statutory provisions and the consular instructions issued in relation thereto are set forth more at length. By the Act of March 1, 1823 (3 Stat. 729), it was provided that in foreign countries, where American consular officers were not permitted to administer oaths other than to American citizens, the verification of invoices of goods to be imported into the

United States might be made before a local officer, whose right to administer oaths was to be authenticated by the Consul. But the *requirement* of an oath was limited to invoices of goods subject to *ad valorem* duty, the owners of which resided out of the United States; and this limitation continued in force until 1862. The Act of July 14, 1862 (12 Stat. 543), extended this provision to all goods by whomsoever owned. This requirement was repealed by the Act of March 3, 1863 (12 Stat. 739), and a simple declaration, in triplicate, was all that was demanded of the shipper, the verification under oath being left to the owner or consignee in this country.

The act under which the abuse now sought to be remedied grew up was passed March 3, 1865, and is embodied in section 2862 of the Revised Statutes, which reads as follows:

All consular officers are hereby authorized to require, before certifying any invoice under the provisions of the preceding sections, satisfactory evidence, either by the oath of the person presenting such invoices or otherwise, that such invoices are correct and true. In the exercise of the discretion hereby given, the consular officers shall be governed by such general or special regulations or instructions as may from time to time be established or given by the Secretary of State.

It will be noted that this section leaves the requirement of an oath discretionary, under certain restrictions. A report from the State Department, in response to a resolution of the Senate (Ex. Doc. No. 122, Forty-seventh Congress, first session, before alluded to), states (page 7) that in the exercise of this discretion it was found invidious and impracticable to require the oath from one or more shippers, and to permit the others to make declarations without the oath, and consequently instructions were issued to require the oath from all shippers without distinction. In the same report Secretary Frelinghuysen added (page 9):

Under the instructions which required the oaths to invoices, when necessary to their binding effect, to be taken before a public officer of the country, qualified to administer oaths, it was found that the fees of such officers were different in different countries, and even in the same country in different places. Complaints were from time to time received from merchants and shippers in this respect, which the department has sought to remove. In those countries where the competent officers for such oaths were found, and were readily accessible to those having consular business, an effort was made to gain their assent to the establishment of a uniform fee for the administration of the invoice oaths, although it was a matter in which the department could exercise no authority. Reports from all consular officers concerned were obtained. Steps were also taken to secure a legal opinion upon a case stated, from such a source as should make it authoritative both as to the exact and the lowest legal fee for such an oath. In the United Kingdom of Great Britain and Ireland these measures resulted in the establishment of a uniform charge by the Commissioners in Chancery, and other officers

doing business with the several consulates, and of the lowest legal fee authorized by the laws of the country for the administration of the oath.

As to the practical working of this system, Secretary Manning, in his report for the last fiscal year, states (page xi):

Shortly after I came to the Treasury Department, my attention was called to complaints by shippers that in London and elsewhere in Great Britain they were compelled to pay for verification and certification of invoices a sum largely in excess of that prescribed by the statute. I found, on inquiry, that after 1868-1869 the practice had prevailed in our consular offices in the United Kingdom of sending a shipper to a British notarial officer for the administration of an oath, and that the shipper was generally compelled to pay a sum not less, and often more, than $1.12 for such administration, in addition to the $2.50 authorized by the statute. It was represented to me that this additional large tax upon each shipment prevented the legalization of invoices, and inconvenienced the administration of the customs revenue in New York and other large ports. The law generally forbids any merchandise to be admitted to entry unless accompanied by a legalized invoice, but a discretion is vested in the Collector of the Port, under the general instruction of the Treasury Department, to admit, nevertheless, merchandise of a relatively small amount, and under proper circumstances, without a legalized invoice, and thus not only was the revenue inconvenienced, but receipts from the regular consular fee of $2.50 were diminished.

In a report laid before the Forty-second Congress by President Grant (Ex. Doc. No. 143, third session), the special agent charged with an examination into these and other matters says (page 7):

The person or British officer by whom the oaths to invoices, etc., to be used in the United States are usually administered is known as a commissioner. * * * The charges for commissioners' fees, I find, vary very materially, despite the law regarding the subject. For oaths to invoices the fees range from two shillings and six pence (about sixty cents) to six shillings, or $1.44. * * * In explanation of what appeared to me as an exorbitant commissioner's fee, I was told that the rate was fixed by local custom. To my mind this tax is only an unnecessary levy upon the manufacturer or shipper of goods to the United States, but it is also, I am perfectly assured, the medium of a revenue to the consular officer, effected through collusion or an agreement with the commissioner. It is well enough for such officers to evade the question by saying invoices may be certified before any duly-authorized party, but it is quite evident, were any one to take advantage of this freedom, his action would not meet with approval. Knowing the fees charged, and also the number of invoices verified, I might easily, if necessary, approximate the amount of pecuniary benefit derived from this source should the officer receive but a moiety. I may mention, in this connection, that in every case which has come to my knowledge the commissioner has been, at the same time, the Vice-Consul of the United States.

Secretary Manning, in the Appendix to his report (page 358), quotes to similar effect from the report of Special Agent Tichenor, dated October 6, 1885, as follows:

Mr. Darlington, a young solicitor and a commissioner, was appointed Vice-Consul at Bradford, upon the recommendation of Consul Grinnell. Early in the

year 1883, in consequence of a misunderstanding between Consul Grinnell and Mr. Darlington, the former asked for the latter's removal as Vice-Consul. Pending this controversy, Mr. Darlington informed me that when he was nominated as Vice-Consul he entered into a written agreement with Mr. Grinnell to pay to the latter eighty per cent. of the fees he (Darlington) received for administering the oaths to invoice declarations, which agreement he subsequently, for certain reasons, sought to annul or modify, and this led to the misunderstanding between them. He informed me it was his intention to report all the facts to the State Department, as well as give publicity to them at Bradford. At the time Mr. Darlington made these statements to me he was visiting London for the purpose of conferring with Consul-General Merritt on the subject. Mr. Grinnell is one of the most industrious, faithful and painstaking consular officers we have abroad, and if he made the arrangement mentioned with Mr. Darlington, as I assume he did, it is not improbable he had some precedent therefor, and considered the transaction entirely proper.

The reports of Special Agents Martin and Tichenor, given at pages 353 and 355 of the Appendix to the same report, estimate, on a computation of the number of invoices certified at the London Consulate, as derived from the records of the Fifth Auditor's office of the Treasury Department, and on the basis of one oath only being charged for each invoice (even though sworn to in triplicate or quadruplicate) that the amounts collected for these extra-official fees on invoices from the port of London alone amount to $23,000 per annum, and that in the entire United Kingdom the amount received from this source, and not accounted for to the United States, exceeds $83,500 per annum. In the opinion of your committee, this is an exaction from which American commerce should be freed.

Secretary Manning says (page xiii):

I have been unable to discover a well-authenticated case of prosecution for perjury, or for a false oath, in the verification or authentication of invoices abroad, or indeed in our custom-house at home. It is extremely doubtful whether in Great Britain a prosecution would be attempted, or would be successful if attempted. The crime of perjury would be, as I am advised, difficult to lay and prove in legal form, even if a foreign government would promote or tolerate in its jurisdiction a prosecution for an offense against the Tariff Law of the United States.

At the same time the enforcement of this requirement, as already shown, embarrasses the collection of the revenue and diminishes the consular receipts of the Treasury by encouraging a system of small importations without legalized invoices. It has been further found (as stated in the report of the Secretary of the Treasury, page xv) that the maintenance of this system promotes a scramble for extra-official fees.

Your committee, therefore, recommend that the bill do pass.

[LETTERS PUBLISHED IN 1889 DISCUSSING THE PREVIOUS BILL.]

(New York Evening Post.)

THE BILL REGULATING CONSULATES.

To the Editor of the Evening Post:

Sir.— Yesterday's Evening Post contains a statement that the bill to limit consular fees for the verification of invoices failed because of consular opposition. It is true the general bill for consular reform, which provided for the readjustment of salaries, for the transfer of the salaried list of Consuls now compensated by fees alone, for the increase of the number of consular clerks under civil service rules for examination and promotion, did encounter the indirect opposition of fatal delay. But the bill in question had the unanimous support of the Committee on Foreign Affairs and would probably have easily passed the House had not the State Department discovered a quicker way of accomplishing the same result by Executive order. If that order has now been rescinded in the interest of some of our Consuls, the fact should be made known at once; it would only be another proof that present management of the State Department requires a good deal of public attention.

PERRY BELMONT.

New York, *October* 24, 1889.

(New York Evening Post, October 29, 1889.)

CONSULAR FEES.

To the Editor of the Evening Post:

Sir.— Will you permit me to lay before you one or two facts of an official character in regard to consular notarial fees for verifying invoices of imported merchandise? The action of the Department of State in the matter during the month of February last, and at the close of Mr. Cleveland's administration was unknown to me when I wrote you a few days ago.

An inquiry as to the necessity and propriety of these notarial invoice fees, and the pecuniary relations of American consular officers to British notarial officers was set on foot in the Senate by Senator Beck, of Kentucky, several years ago. The State Department reply to that inquiry, and the criticism of the then existing system by Secretary Manning, led

me into an investigation of it, as part of the consular reform undertaken by the Foreign Affairs Committee of the House. The bill presented by me and printed in The Evening Post, the 23d of this month, received the unanimous approbation of the committee, and was reported to the House the 8th of January, 1886. It was the purpose of that reform to prevent the exaction, by consular officers, of a larger fee than $2.50 on the merchandise covered by an invoice. That fee is a severe tax on shippers of any articles of over $50 value. It really encourages irregular and forbidden importation, and then the time and expense of a visit to the consular office is added; the tax is very onerous. Even this invoice fee of $2.50, paid in the end by the consumers of imported merchandise, goes a great way to defray the cost of our consular system. After my bill was reported to the House, the State Department issued the following circular order to consular officers:

[CIRCULAR.]

OATHS TO INVOICES.

DEPARTMENT OF STATE,
WASHINGTON, *January* 27, 1886.

To the Consular Officers of the United States in Great Britain:

Gentlemen.— In regard to the administration of oaths to invoices in Great Britain, you are now informed that in the opinion of this and the Treasury Department the services of the British commissioners in connection with each invoice, whether in triplicate or quadruplicate, constitute but one act, for which but one fee of one shilling and six pence should be charged. This principle, according to law, governs in the collection of consular fees, and should extend to the charge of the commissioners.

If, however, the commissioners are unwilling to act in accordance with this view, you are hereby instructed to have the oath, in those cases, where it is thought necessary to require it, attached only to the copy of the invoice retained by you, for which service no more than one shilling and six pence should be exacted. The object in view is to relieve shippers of an unnecessary burden.

I am, gentlemen,

Your obedient servant,

JAS. D. PORTER,

Assistant Secretary.

Up to this time our Consuls in Great Britain — certainly since 1869 — had permitted British notarial officers to exact one shilling and six pence on the original and each of the two or three copies of the invoice required, the original to be given back to the shipper, one copy for the consular archives, and one copy to be sent by the Consul to the Collector of the port of entry. Such copies were to prevent tampering with the invoice by the shippers

after its verification. The bill, already mentioned, proposes to cut off all notarial fees for oaths, and all fees of every sort in excess of $2.50, but the State Department circular permitted one shilling and six pence for each shipment.

The 26th of April, 1886, a consular reform bill* was reported by me to the House to increase the salaries of Consuls, and the report by the committee declared its chief object to be "to put the consular service of the United States on a salaried basis, to abolish the uncertain and demoralizing system of compensation by fees." That general bill repeated, in its tenth and eleventh sections, the bill previously reported, but, after the State Department circular, those two sections were stricken out, although the department order tolerated the notarial fee, reduced from $1.10 to thirty-seven cents.

The circular of January 27, 1886, only remained in force, as I have learned since my recent note to The Evening Post, until last February. A revision of the Consular Regulations was then prepared in the State Department, submitted to President Cleveland, approved by him, and promulgated by Mr. Bayard on the 23d of February, 1889. In these revised regulations, the limit of the fee allowed to British notarial officers was increased from one shilling six pence to two shillings six pence. The paragraph making this change reads as follows:

443. In the United Kingdom of Great Britain and Ireland the practice has prevailed, for many years, of requiring the declarations to invoices to be taken before a local officer duly qualified to administer oaths, and it is known that the practice has resulted, in large measure, in securing the proper valuation of the invoiced goods, to the increased revenue of the United States. The consular officers of the United States in that Kingdom are informed, however, that the service of such local officer in the administration of oaths in connection with each invoice, whether in triplicate or quadruplicate, constitute but one act, for which but one fee not exceeding two shillings and six pence should be charged. This principle, according to law, governs in the collections of consular fees, and extends to the charge of such local officer. If he is unwilling to act in accordance with this view, the consular officers aforesaid are instructed to have the oath in those cases where it is thought necessary to require it, attached only to the copy of the invoice retained by them.

It is, in this way, assumed as a fact that the perfunctory administration of an oath has "resulted, in a large measure, in securing the proper valuation of invoiced goods." I may be in error, but I believe that invoices from Great Britain are not, because of that oath, any more truthful than invoices from countries where such oaths are not required, and where reliance is placed on the "declaration" specified in the Law of

* See report on this bill, p. 3, of this volume.

1863. It is to be feared the oath was a device of consular officers to increase their emoluments. Besides it is thus implied that a British notary can say what sort of an oath and how many oaths shall be taken in the verification of American invoices, nor does it appear why the notarial fee should have been enlarged from thirty-seven cents to sixty-two cents. The annual income for the British notary in London will thereby exceed, by many times, the annual salary of the American Consul-General on an estimate of the number of invoices presented to the Consul-General for verification.

When my attention was first called to this exaction of fees by British notarial officers, for an act done to enforce our custom-house laws, it seemed strange that the oath was not administered by our own consular officers. It was said that a long time ago, a half century or more, some one reported to Washington that the British Government disliked to see the subjects of the Queen taking oaths in their dominion before foreign officials. Whatever foundation there may have been for such a report, it is hardly probable that to day the British Government would, on proper application of our Government, continue an objection to an administration of an oath by our Consuls, in the verification of our custom-house invoices. Germany has objected in the execution of a commission, by one of our courts, to an American Consul, to take the testimony in Germany of a German subject. The objection was made on the ground that Germany prefers not to have witnesses examined within the Empire by American commissioners of whatever grade or official rank. Germany does, however, enable its courts to take testimony for use in our courts under "Letters Rogarty." Nor has England objected to such examination of witness on English soil by our Consuls for use in our courts, and our Consul-General is permitted to take in London the acknowledgment of a deed by the grantor of land in the United States. In fact, I can not but think that the notarial device is insisted on by some of our Consuls for other reasons than complaisance for the British Government, or solicitude about the integrity of invoices. Still more objectionable becomes the permission to exact sixty-two cents on each invoice in addition to the $2.50, if, as is generally true, the British notary is employed by the Consulate on a salary paid by the United States. And the notarial fees, amounting to many thousands of dollars, are in addition to his salary, if the notary is permitted, under the conditions of his selection, to retain the fees. If the notary is not permitted to retain all the fees, then what becomes of them? My investigation convinced me that an extremely small portion of the notarial fees find their way into the Federal Treasury.

PERRY BELMONT.

NEW YORK, *October* 29.

AMERICAN EXHIBITION IN LONDON IN MAY, 1886.

February 9, 1886.

Mr. BELMONT, FROM THE COMMITTEE ON FOREIGN AFFAIRS, SUBMITTED THE FOLLOWING REPORT:

The committee has had this (H. R. 15, concerning an American Exhibition to be held in London in May, 1886) resolution under consideration, and upon inquiry it has been ascertained that the British Government has not recognized the exhibition as an international one, and the committee believe that Congress should not legislate for an American or international exhibition within British jurisdiction without the prior invitation of the British Government. No such invitation has been received at the Department of State. The enterprise is understood to be a private one, and the capital to conduct it is mainly forthcoming in London.

Your committee can not, therefore, recommend the adoption of the resolution, and report it back with the recommendation that it do not pass.

CIVIL SERVICE EXAMINATION FOR CONSULAR OFFICERS.

February 15, 1886.

Mr. BELMONT having introduced a bill to reform the organization and increase the efficiency of the consular service, also introduced the following resolution, which was referred to the Committee on Foreign Affairs:

Resolved, That the Civil Service Commissioners be and they are hereby requested to report to this House whether or not a civil service examination, either a pass examination or a competitive examination, is in their opinion feasible for candidates for consular officers or for promotion in the consular service; regard being had to the possible residence of an applicant either in this country or abroad, and to the service of consular officers in foreign countries, and to the law requiring Consuls to be nominated by the President, by and with the advice and consent of the Senate and, if a civil service examination is feasible in the opinion of the commissioners, that they be also requested to formulate and act therefor, including the place or places where examinations shall be held, the persons by whom to be conducted, and the probable annual cost thereof.

[SEE REPORT ON THIS SUBJECT, P. 13.]

INDEMNITY TO CHINESE SUBJECTS.

March 29, 1886.

Mr. BELMONT introduced the following joint resolution, which was referred to the Committee on Foreign Affairs:

Resolved by the Senate and House of Representatives, etc., That the sum of $147,748.74 be and the same is hereby appropriated out of any moneys in the Treasury not otherwise appropriated, to be paid to the Chinese Government, in consideration of the losses unhappily sustained by certain Chinese subjects by mob violence at Rock Springs, in the Territory of Wyoming, September 2, 1885; the said sum being intended for distribution among the sufferers and their legal representatives, in the discretion of the Chinese Government.

§ 2. That the further restriction of Chinese or Coolie labor immigration, if the same shall be found necessary and expedient, can be most properly accomplished by the modification of existing treaties.

[SEE THIS SUBJECT CONTINUED MAY 12, 1886; AND BILL PASSED.]

TO PROVIDE FOR APPEAL IN CUSTOMS CASES.

April 5, 1886.

Mr. BELMONT introduced the following resolution, which was referred to the Committee on Ways and Means:

Resolved, That the Committee on Ways and Means be directed to prepare and report to this House a bill to provide for the creation of a board of experts, consisting of three persons to be appointed by the President, on the advice and consent of the Senate, two of whom shall be merchants who have had experience in the importation of merchandise, and one of whom shall be skilled in the practice of law in the courts and learned in the law, who shall have their offices in the Treasury Department, with an appropriate annual salary for each, and to whom shall be referred by the Secretary of the Treasury all questions arising on protests or appeals made by importers against the liquidation of entries, of the levy of duties or fees, and no decision of any question thus arising and presented to the Treasury Department shall be made by the Secretary of the Treasury till a report from those officers, or a majority of them, shall have been received by him. The Secretary of the Treasury shall also be authorized to refer to those officers, and require their opinion on any other question or matter concerning the customs revenue, and shall be authorized to require them to visit any of the collection districts; but the said bill shall not impair the existing power and duty of the head of the Treasury Department to supervise all officers of the customs revenue and prescribe regulations for their conduct and the collection of duties.

And that the Committee on Ways and Means be also required to prepare and report to this House a bill to create for the port of New York a reappraising board, as recommended by Secretary Manning in his special report to Congress of February 16, 1886 (page xli), which board shall consist of three general appraisers for the reappraisement of the value of merchandise at that port.

REORGANIZATION OF THE CONSULAR SERVICE.

April 26, 1886.

Mr. BELMONT, FROM THE COMMITTEE ON FOREIGN AFFAIRS, SUBMITTED THE FOLLOWING REPORT:

The Committee on Foreign Affairs, to whom was referred the bill (H. R. 6520)* to reform the organization, regulate the salaries, and increase the efficiency of the consular service, etc., report the same with amendments.

The chief purpose of this bill is to put the consular service of the United States on a salaried basis, to abolish the uncertain and demoralizing system of compensation by fees, and to bring within the control of Congress a large number of important consular positions which are now practically buried from public scrutiny.

The consular service of the United States, like that of other nations, developed gradually out of the necessities of commerce, and the willingness of merchants in foreign countries to represent other governments than their own, and to discharge certain fiscal and other duties for the sake of the fees to be collected for such services. As early as 1816, Mr. Monroe, then Secretary of State, suggested to Congress that the country had outgrown this system of fees, and that it was most desirable the principal United States consular officers, at least, should be paid by salaries. But, for many years afterward, whatever appropriations were made for the foreign service of the Government were made in lump sums, and the manner of their expenditure was left wholly within the discretion of the State Department. Even when, in 1856, a bill to organize the consular service of the United States was passed, the old plan of retaining merchants, and feed Consuls, and feed consular and commercial agents, was perpetuated to such an extent that of six hundred and ninety-six consular officers now representing the United States abroad only two hundred and seven appear in the annual appropriation bills or come in any way under the revision of the legislative branch of the Government.

The present bill divides the consular service into five classes: Consuls-General, Vice-Consuls-General, Consuls, Vice-Consuls, and consular clerks, all to be paid by fixed salaries. Existing grades of commercial agents, Consuls and consular agents, paid by fees, are dispensed with. Provision is made for five hundred and thirty-two consular officers (includ-

* [Introduced by Mr. Belmont.]

ing the proposed increase in the number of consular clerks from thirteen to fifty), upon a carefully-graded scale of compensation, prepared with the concurrence and assistance of the Department of State, ranging from $200 up to $10,000 per annum. All the consular officers empowered to collect fees, whether such fees have been heretofore known as unofficial or official, are required to make full return of them to the Treasury. Of course, it is not the purpose of the bill to deprive Consuls of compensation for services rendered in taking depositions under rogatory commissions from any court of the United States, or for administering on the estates of Americans dying abroad, or for any other like extra-official service, such as Consuls are constantly called upon to render. They will be entitled, as now, to make their own arrangements for remuneration for such acts, only, when they affix the seal of the United States to any such commission or instrument, they must, in future, account to the United States for the fees collected for such authentication. In compensation for the loss of unofficial fees, an increase is proposed in the salaries of many consular officers, and the grade and compensation of other consulates have been raised to a point more befitting the importance of the services rendered, but, nevertheless, below the salaries paid for like services by leading European powers.

The salaries provided by the bill for Consuls-General, Vice-Consuls-General, Consuls and Vice-Consuls amount to $783,200. For convenience of classification and reference, the salaries of the Ministers resident at Bangkok, Bucharest, Buenos Ayres, Caracas, Copenhagen, Seoul and Teheran, and of the Secretaries of Legation at Bogota and Guatemala, and of the agent at Cairo, aggregating $47,500, are included in the bill, because each of these officers, though his compensation is provided for in the appropriations for the diplomatic branch of the service, is also commissioned as Consul-General under existing laws. Deducting this amount of $47,500 leaves the total appropriation proposed for the consular service, under the fixed-salary system, $735,700. Adding to this a probable charge of, say, $45,000 for the increased force of consular clerks, we have a total for the salaried consular service of the United States, irrespective of contingent expenses, of $780,700.

Under existing laws, the amount which is authorized to be withdrawn or withheld from the Treasury for this purpose is as follows:

Salaries of Consuls-General, Consuls and commercial agents, as authorized by this year's appropriation bill	$415,000
Salaries of present force of consular clerks	14,000
Maximum amount of fees authorized to be retained by feed Consuls and commercial agents, under the Act of 1856, on the basis of the present force of feed Consuls, etc	287,500

Maximum amount of fees authorized to be retained by consular agents and their superior officers, under the same law, on the basis of the existing force of consular agents	$580,000
Total	$1,296,500
Amount proposed by the present bill in lieu of all fees	780,700
Apparent difference in favor of the proposed plan	$515,800

It is fair to say that the *maximum* of fees, as above quoted, which the law would *permit* to be retained, is not reached in all cases, and consequently the amount actually withheld from the Treasury under the fee system is not as great as it might be. But, at the same time, it should also be stated that, under present conditions, it is next to impossible to ascertain what the amount collected and retained really is. According to the best information the committee has been able to obtain, the returns made to the Treasury afford only material for an approximate guess, and scarcely that, as to the true amounts collected.

Since the publication of the proposed plan of paying all consular officers by fixed salaries a number of letters have been received by members of the committee from feed Consuls and others protesting against a change, and numerous other private letters have been received by officers of the Government and Members of the House of Representatives to similar effect, and have been referred to the Committee. These communications have disclosed, for the first time, to the Committee and the State Department the real amount of fees collected by the complaining officers, which in all cases have been found largely in excess of the table of estimated fees which the State Department prepared at the request of the Committee on Foreign Affairs.

In addition to the official fees retained by Consuls and agents as their compensation, there is also the very considerable item of unofficial fees now retained by salaried Consuls, as well as by unsalaried officers, which, under the provisions of this bill, will in future be covered into the Treasury. Assistant Secretary Porter, in a communication dated March 3d last, estimates the amount which would be gained from this source at not less than $66,000.

There can be no question that the adoption of the plan proposed would correct many abuses and indirectly benefit the Treasury in various ways. It would remove the temptation which now exists for consular officers to enter into collusion with shippers for the sake of obtaining their custom, and to the detriment of the revenue. It would put an end to a practice which, it is believed, largely prevails in Canada amongst consular

agents who (knowing they will not collect more than their maximum, and, therefore, will never be called upon to make good the difference between the face of their returns and their actual collections) charge less than the scale of fees established by law for the certification of invoices, so as to obtain business in competition with other agents, and at the same time enter the proper charges on their returns. The gain to the Treasury by the abrogation of this system it is believed will be very considerable. In this and in many other ways, it is, therefore, expected that from an economical point of view the proposed change will be beneficial, and every other consideration renders it most desirable. The system of compensation by fees is demoralizing to the service. Its abolition has been recommended by successive Secretaries of State. The Forty-seventh Congress directed the department to prepare an estimate of the amount required to put the consular service on a salaried basis, and in accordance with those instructions a report and a proposed bill were drawn up (Ex. Doc. 121, Forty-eighth Congress), but no action was had thereon. A change to a system of fixed salaries, as now proposed, was recommended by the present Secretary of State, and is among the reforms of the consular service commended to the attention of Congress by the President, and by the House referred to this committee.

Sections 3 to 9, inclusive, of the bill extend and develop a system of appointing consular clerks, adopted on a smaller scale in 1864, on the recommendation of Secretary Seward, and found so efficient in practice that its continuance is strongly urged by the State Department, with the added features of graded promotion of pay and rank that appear in the bill.

Sections 10 and 11 of the bill, as referred to the committee, have been stricken out. They related to the collection of duplicate and triplicate fees for the verification of invoices in Great Britain, and were identical with H. R. 4138, already favorably reported to the House. Since the introduction of that measure a circular of the State Department has been issued, under date of January 27, 1886, substantially correcting the evil sought to be remedied by these sections. Consequently they were omitted from the bill now under consideration.

One section has been added in committee, adapting existing provisions of the Revised Statutes with regard to oaths and bonds to the changes and modifications in the service made by the bill.

As thus amended, your committee earnestly commends this measure to the early and favorable action of the House of Representatives.

REMARKS ON INDEMNITY TO CHINESE SUBJECTS.

May 12, 1886.

Mr. BELMONT.—I call up for consideration the joint resolution (H. R. 147) providing indemnity to certain Chinese subjects for losses sustained within the jurisdiction of the United States.

The SPEAKER.—This resolution is in Committee of the Whole House on the state of the Union.

Mr. BELMONT.—I ask that the Committee of the Whole be discharged from the further consideration of the joint resolution, and that it be considered in the House as in Committee of the Whole.

Mr. HOLMAN.—I ask that the resolution be first reported.

The joint resolution was read, as follows:

Resolved by the Senate and House of Representatives, etc., That the sum of $147,748.74 be and the same is hereby appropriated out of any moneys in the Treasury not otherwise appropriated, to be paid to the Chinese Government, in consideration of the losses unhappily sustained by certain Chinese subjects by mob violence at Rock Springs, in the Territory of Wyoming, September 2, 1885; the said sum being for distribution among the sufferers and their legal representatives, in the discretion of the Chinese Government.

§ 2. That the further restriction of Chinese or Coolie labor immigration, if the same shall be found necessary and expedient, can be most properly accomplished by the modification of existing treaties.

[*See this introduced by Mr. Belmont, March* 29, 1886.]

The amendment reported by the Committee on Foreign Affairs was read, as follows:

Strike out section 2.

The SPEAKER.—The gentleman from New York asks unanimous consent that the Committee of the Whole House on the state of the Union be discharged from the further consideration of this joint resolution and that it be now considered in the House as in Committee of the Whole. Is there objection?

Mr. HEWITT.—I object.

Mr. BELMONT.—I move, then, that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of this joint resolution.

The motion was agreed to.

Mr. McCREARY.—I ask that the report of the committee, which embraces the message of the President of the United States on this

subject, in which this whole subject of Chinese indemnity is thoroughly presented and fully discussed, be read:

The CHAIRMAN.— Does the gentleman from New York (Mr. Belmont) yield to the gentleman from Kentucky (Mr. McCreary).

Mr. BELMONT.— Mr. Chairman, I think that the business of the House will be more quickly disposed of if the reading of the report is dispensed with. It contains the message of the President, together with voluminous documents. I think I can explain the matter briefly.

The CHAIRMAN.— The gentleman from New York is recognized as first entitled to the floor. The Chair will recognize the gentleman from Kentucky later.

Mr. BELMONT.— Mr. Chairman, I am confident there need be no special appeal made to the sense of justice which exists in this House; and it hardly seems necessary to do more than briefly state the facts concerning this unfortunate affair in order to bring the House to a full understanding of the grounds upon which was based the President's message of March 2d on this subject, and the reasons which have induced the Committee on Foreign Affairs to ask unanimously the passage of this joint resolution.

In September last, there occurred at Rock Springs, in the Territory of Wyoming, a conflict among the laborers engaged in the mines, of whom it should be remarked at the outset that none appear to have been citizens of the United States. Rock Springs consists of two settlements, one inhabited chiefly by Welshmen and Swedes, the other by Chinamen. All received the same rate of pay of $3.50 per day the year round; and for eight years the white and the Chinese miners had lived and worked peaceably alongside of each other. Last summer a strike was attempted to be organized by the white miners. The Chinese refused to take part in it. The evidence is clear and uncontradicted that no other cause of offense was given. On the 2d of September the white miners, to the number of about one hundred and fifty, armed themselves with rifles and made a sudden attack upon the defenseless Chinamen. The shooting continued for ten hours; twenty-eight of the Chinamen were killed, a number wounded, and their quarters burned and plundered. No serious effort was made to bring to punishment the perpetrators of this outrage. An inquest was held over the bodies of some of the victims, and this was the verdict rendered:

We, the undersigned members of the coroner's jury, from the evidence before us, state that human bodies Nos. 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 15 came to their death from exposure to fire, the nationality of said bodies being unknown to us, as they were defaced beyond recognition.

The report of the grand jury was as follows:

We have diligently inquired into the occurrence at Rock Springs on the 2d day of September last, and, though we have examined a large number of witnesses, no one has been able to testify to a single criminal act committed by any known white person that day. Whatever crimes may have been committed, the perpetrators thereof have not been disclosed by the evidence before us; and, therefore, while we deeply regret the circumstance, we are wholly unable, acting under the obligation of our oaths, to return indictments.

Shortly after, under the protection of United States troops, the Consuls of the Chinese Empire in New York and San Francisco proceeded to the scene of the massacre and made careful investigation and report. Of this the President of the United States says:

In the investigation of the Rock Springs outbreak and the ascertainment of the facts on which the Chinese Minister's statements rest, the Chinese representatives were aided by the agents of the United States, and the reports submitted, having been thus framed and recounting facts within the knowledge of witnesses on both sides, possess an impartial truthfulness which could not fail to give them great impressiveness.

In the papers accompanying the message is contained a statement in detail of the value of the property destroyed, which averages for each Chinaman robbed about $200; and the whole amount is the sum named in this joint resolution.

It may be urged against the payment of indemnity under these circumstances that the subjects of China under our treaty are entitled to the same remedies at law as our own citizens; that the Territorial, State and Federal courts are open to them for redress. But this is provided always that the laws are executed and enforced. In this instance, it is clear that they were not executed, which goes far in determining our responsibility and liability as a Government. Besides, whatever may be said to the contrary, it is a fact that the States do not protect foreigners from the hatred or prejudice of their citizens.

Mr. BUTTERWORTH.— Let me ask the gentleman a question right here. Of what nationality were the men who murdered these Chinamen?

Mr. BELMONT.— They were Welshmen and Swedes.

Mr. BROWN, of Pennsylvania.— None were American citizens?

Mr. BELMONT.— It does not appear that any of them were American citizens.

Mr. FELTON.—All of them were aliens, were they not?

Mr. BELMONT.—All of them, as far as can be ascertained.

Mr. FELTON.— One alien against another — the Asiatic against the European?

Mr. BUTTERWORTH.— Or the reverse.

Mr. BELMONT.— Yes, sir.

The States have surrendered to the National Government their power over the intercourse of their citizens with foreign nations. It may, perhaps, be argued that throughout all of the treaties with China there runs a certain lack of reciprocity in respect to certain restrictions as to residence and occupation imposed upon our citizens in China; which, on the other hand, are not placed upon the subjects of the Chinese Empire within our own borders. For instance, the treaty of 1844, in article 1, applies to our citizens "resorting to China for purposes of commerce." Article 3 permits Americans to frequent certain specific ports. Article 17, among other things, provides:

> And in order to the preservation of the public peace, the local officers of the Government at each of the five ports shall, in concert with the Consuls, define limits beyond which it shall not be lawful for the citizens of the United States to go.

These conditions are substantially retained in the treaty of 1868, and even in 1880 we are not admitted to full reciprocity in respect to the matter of full intercourse within the Chinese Empire. But at all times the Chinese, when they are here, can go where they will and can engage in any occupation they choose. We have, however, no fault to find with China on that ground.

The difference between our free institutions and the civilization of China are sufficient reasons in justification of it, and it does not in the least interfere with the friendly relations which we have maintained and which we desire to continue to maintain with China, and we may well recall the promptness and the fairness with which China has always responded to our own demands for similar indemnities, which have been paid to us in large amounts in the past.

Should the House see fit to adopt the recommendations of the President in this message, it will assume the claim that the Chinese Minister has made under the instructions of his Government to be a debt of honor which we owe China; and while we thus express our sympathy with the victims of a wrong which the Government of the United States could neither foresee nor prevent, we are well aware that it is our own Government rather than that of China, which has suffered the greater indignity and injury by reasons of this flagrant violation of our laws.

We desire to extend to China the same liberality and generosity which characterizes the action of the Government of the United States in its

relations to all foreign powers; and it must, at the same time, be made very clear that the results of mob dictation and mob violence have only to be made known to this House to meet with the condemnation which they merit. It is not so much, many and new laws the country demands of Congress as it is the execution and enforcement on the part of the Government of law already existing, under which we should abide.

I reserve the remainder of my time.

Mr. BROWN, of Pennsylvania.— Let me ask the gentleman, before he takes his seat, how this amount was ascertained?

Mr. BELMONT.— By a careful investigation made by the officers of the Chinese Government; and we were also represented, as stated in the President's message, the extracts from which I read a few moments ago.

Mr. BROWN, of Pennsylvania.— How is it ascertained that China is satisfied with that amount?

Mr. BELMONT.— China, through its Minister, made the claim, specifying the amount ascertained, and the President recommended its payment.

Mr. PETERS.— Is there any evidence showing that any of these parties had indicated any intention of becoming citizens of the United States?

Mr. BELMONT.— There is no such evidence.

Mr. PETERS.— The inference is that none of them had declared their intention to become citizens.

Mr. BELMONT.— Yes, sir. Of course, the gentleman's question does not refer to the Chinese, who can not become citizens.

Mr. MORROW.— Under the law the Chinese can not become citizens of the United States.

Mr. DUNHAM.— Let me ask the gentleman from New York if, under the treaties with China, this Government is under any obligation to pay an indemnity in this case?

Mr. BELMONT.— No more in respect to China than any other nation.

Mr. DUNHAM.— Then this proposition is entirely voluntary on our part?

Mr. BELMONT.— It is not entirely voluntary in the sense I understand the gentleman to mean. It is to meet an obligation —

Mr. DUNHAM.—Are we under any more obligation to pay this indemnity than to pay for damages that might occur to the citizens of the United States in any of the Territories?

Mr. BELMONT.— Oh, yes. These were subjects of a foreign government, and the distinction is very clear. Our own citizens certainly do not claim the protection of the Federal Government in such cases; but

they have the privilege of going into the courts of the States or the Territories to seek redress for their wrongs. But there is a failure of justice in this case.

Mr. DUNHAM.— Do I understand the gentleman to mean that we are under more obligations in this case than we would be if these people had been American citizens?

Mr. BELMONT.— Certainly.

Mr. HISCOCK.— Will the gentleman state the basis of the calculation — upon which the committee fixed a value?

Mr. BELMONT.— Upon the property; not upon the lives of the victims.

Mr. HISCOCK.—And what they ask is for the value of the property destroyed?

Mr. BELMONT.— Exactly.

Mr. HISCOCK.—And the lives of the men are not taken into account?

Mr. BELMONT.— They are not taken into account. I must refuse to yield further for questions, because there are gentlemen who desire to address the committee. I yield three minutes to the gentleman from California (Mr. Felton). But first I will ask unanimous consent to limit debate to thirty minutes.

Mr. McCREARY.— I object.

Mr. BELMONT.— I yield three minutes to the gentleman from California (Mr. Felton).

(Messrs. Felton, Morrow, McCreary, Hitt and others addressed the committee.)

The committee rose without coming to any conclusion on the joint resolution.

[SEE THIS SUBJECT CONTINUED, FEBRUARY 8, 1887.]

DEBATE ON CONSULAR AND DIPLOMATIC APPROPRIATION BILL.

May 12, 1886.

[THE BILL WAS REPORTED TO THE HOUSE BY MR. BELMONT FROM THE COMMITTEE ON FOREIGN AFFAIRS, MARCH 2, 1886.]

(The bill was reported to the House by Mr. Belmont, from the Committee on Foreign Affairs, March 2, 1886.)

Mr. BELMONT.— Mr. Speaker, I move that the House now resolve itself into the Committee of the Whole for the purpose of considering a general appropriation bill.

The motion was agreed to. The reading of the bill (making appropriations for the diplomatic and consular service) was dispensed with.

Mr. BELMONT.— Mr. Chairman, this bill, as now reported by the Committee on Foreign Affairs, appropriates $1,299,665 as against $1,919,713 appropriated in the corresponding bill passed last year. This apparent decrease, however, is owing to the fact that last year's bill included an item of $594,000 for the payment of the awards of the French-American Claims Commission, and also an item of $100,000 for the international survey between the United States and Mexico. Neither of these items is included in the present bill. The department estimates contain an item of somewhat over $15,000, the balance due upon the French-American Commission awards, and also an item of $100,000 for continuing the international boundary survey. These were recommended by the department to the Committee on Foreign Affairs, but under the rules the committee was relieved from their consideration, and they will probably come before the House in the sundry civil bill.

This bill appropriates for the diplomatic service $536,848, and for the consular service $762,820 — very much the same amounts that were appropriated in the last year's bill. This bill is, in fact, a very simple one — merely a money bill; and the committee that reported it thought, upon consultation, that the House probably would not desire to occupy much time in its discussion. Variations from last year's bill can very briefly be stated to the House as the items are reached and are unanimously recommended by the committee. Therefore, under instructions of the Committee on Foreign Affairs, I move that the committee rise for the purpose of limiting debate.

Mr. CANNON.— I would be glad if the gentleman, before pressing that motion, would yield to me five or ten minutes.

Mr. BELMONT.— Would not the gentleman be able to submit his remarks during the five-minute debate?

Mr. CANNON.—I think I could shorten my remarks so as probably not to exceed ten minutes.

Mr. BELMONT.— I suppose the gentleman's purpose is to facilitate the dispatch of business?

Mr. CANNON.— I want to talk about the bill for a few minutes only.

Mr. BELMONT.— Then I ask unanimous consent that general debate on this bill be limited to half an hour.

Mr. CANNON.— For my own time I certainly shall not want that much time.

There was no objection to the request of the gentleman from New York (Mr. Belmont).

Mr. BELMONT.— I now yield to the gentleman from Illinois (Mr. Cannon).

Mr. CANNON.— Mr. Chairman, I have not given this bill a great deal of consideration; yet I have read the report accompanying it; and the statements in that report differed so much from my recollection that I have taken a little pains to verify my recollection touching some of those statements.

Mr. BELMONT.— The gentleman will permit me to say that since the report was presented to the House, the committee has had under consideration certain recommendations from the Department of State and has agreed upon certain amendments; and in the summary which I have just given to the House of the appropriations embraced in the bill those recommendations are included. While they differ somewhat from the original report, yet, as I stated at the outset, they can very briefly be explained when we come to the items of the bill in detail. It seems to me perhaps best that the discussion of those items should be deferred until that time arrives.

Mr. CANNON.—I was not referring to those items, but to other statements in the report. I read for instance:

The total amount appropriated by this bill is $1,254,165.

Mr. BELMONT.— The statement which I have just made of the aggregate appropriation in this bill included the changes since agreed on. As I said, the bill, as now reported, appropriates $1,299,665.

Mr. CANNON.—As you propose to amend it?

Mr. BELMONT.— Yes, sir.

Mr. CANNON.— I was taking the bill without reference to any subsequent action of the Committee on Foreign Affairs. I cast up the figures with some care, and I find that in the bill as originally reported there is a slight error in the addition.

Mr. BELMONT.— The gentleman will permit me to say that there is no error at all, because the committee has instructed me in reporting the bill to ask that the amendments I referred to be adopted when we come to the particular items to which they relate.

Mr. CANNON.— Those amendments are not now printed in this bill, are they?

Mr. BELMONT.— They are amendments, for instance, in regard to the increase of the contingent expenses of consulates.

Mr. CANNON.— But those amendments do not now appear in the bill?

Mr. BELMONT.— They do not.

Mr. CANNON.— I am not referring to the amendments the gentleman now speaks of. I am referring to the bill as it was reported from the committee, read twice, and referred to the Committee of the Whole on the state of the Union. A copy of the bill, as thus reported and referred to the Committee of the Whole, I hold in my hand. I am not dealing with the amendments the gentleman speaks of at all.

Mr. BELMONT.— I understand the gentleman is speaking about the amendments.

Mr. CANNON.— I have not got that far, but will presently. (Cries of "Go on.") A careful footing of the bill carries $1,279,665, an item between $25,000 and $30,000 more than the report states it is. I should not have thought anything of that error of the clerk, perhaps —

Mr. BELMONT.— I must insist that I have explained that matter. Thirty thousand dollars was the amount the committee instructed me to ask the House to adopt in the way of amendments to the last item of the bill in regard to contingencies.

Mr. CANNON.— It is an amendment to the amendment?

Mr. BELMONT.— I have already answered it is not.

Mr. CANNON.— It is not. If the gentleman will allow me to complete my statement he will see I am not referring to his amendment hereafter to be offered. I am referring to the error that the committee made, or more probably, its clerk made, when they footed the total of the appropriation made by the bill. The report states it at $1,254,165, whereas, in fact, it is $1,279,665. I go a step further. The report of the Committee on Foreign Affairs states that the amount appropriated by the corresponding act for the present fiscal year is $1,919,713. Now, the truth is the amount appropriated by the corresponding act for the current year is $1,242,925, $700,000, in round numbers, less than is stated in the report.

Mr. BELMONT.— I am sorry to interrupt the gentleman again, but I think the House ought to know —

Mr. CANNON.— I am going to explain it.

The CHAIRMAN.— Does the gentleman yield?

Mr. CANNON.— Certainly.

Mr. BELMONT.— That there was included in this estimate as to the expenditure last year the amount for the French-American Claims Commission's awards and the $100,000 for the Mexican boundary survey.

Mr. CANNON.— * * * The report I hold in my hand, I will say again, states that the bill for the current year corresponding to this amounts to $1,919,713, whereas it only amounts to $1,242,925, a difference, in round numbers, between the fact and the statement in the report, of $700,000. The bill as reported recommends an increase over the law for the current year of over $35,000. The gentleman speaks of appropriation of $594,000 for the awards of the French-American Claims Commission and $100,000 for the Mexican boundary survey. Why, my friend, your committee never could have examined the law for the current year. It does not contain either item. They are both appropriated for in the sundry civil appropriation bill, and not in the corresponding bill to this.

Mr. BELMONT.— I have already said to the House the committee had no instruction on the question of appropriation for the Mexican boundary survey; that it was discharged from its consideration, and that it would probably be presented to the House in the sundry civil appropriation bill. Five hundred and ninety-four thousand dollars for the French-American Claims Commission awards was an item which appeared in the last year's appropriation bill, but did not appear in this.

Mr. CANNON.— If my friend will allow me, that is a question I desire to dispute and do dispute. The report shows just that, and now you repeat it, whereas, in truth and in fact, both items, one for $594,000 and another for $100,000, are not in the law for the current year. Your report mistakes when it says the act for the current year covers those items.

Somebody may ask, what does all this amount to. It amounts to just this, Mr. Chairman, and that called my attention to it in the first place: When the gentleman reported his bill from the committee and placed it upon the calendar, evidently the agent of the Associated Press made haste to analyze the bill and to read the report submitted, and what was the result?

The result was that there went out a report which appeared in every metropolitan newspaper in the land, the statement that this economical Committee on Foreign Affairs had reported a bill cutting down the expenses, as compared with the corresponding act for the current year, $700,000.

The CHAIRMAN.— The time yielded to the gentleman has expired.

Mr. BELMONT.— I will yield to the gentleman all the time.

Mr. CANNON.— More than that, that this saving in this appropriation bill, that of $700,000, was the first fruits, showing the wisdom and economy of the House in adopting the new rules distributing the appropriation bills among the committees.

* * * Now I have not noticed any contradiction in the Associated Press dispatches, nor do I care whether they make the contradiction or not. But here is the report made to the House of Representatives from one of its committees, and I could not let that report go unchallenged, as it contained an error of this character.

Mr. LONG.— What is the fact in reference to the amount of the appropriation; is it less?

Mr. CANNON.— No; the appropriation for the current year is $30,000 less than that recommended by this bill; whereas the Committee on Foreign Affairs have gone before the country as having recommended a bill carrying $700,000 less than the bill for the current year. That is all I desire to say upon that point.

As the consideration of the bill progresses, unless somebody else undertakes to do it, I shall offer some amendments to correct certain errors that I have noticed in the arrangement of the bill. I find that there is a misarrangement of several items of appropriation with reference to Consuls, etc.

(Mr. Rice briefly addressed the House.)

Mr. BELMONT.— I, of course, took it for granted, Mr. Chairman, that when this discussion commenced the gentleman from Illinois desired, in asking for the time, to dispatch the business of the House. The point he raises, I believe, would certainly have been explained as we went on with the consideration of the bill; and if he would look at the department estimates he will find the reasons which explain the arrangement of the bill. The department estimates for the service, contained in the book of estimates, embody the items —

Mr. CANNON.— I am talking about the law for the current year.

Mr. BELMONT.—And I am seeking, since the gentleman has called in question the action of the committee, to establish before the House the methods it pursued in the preparation of the bill. The Book of Estimates for foreign intercourse contains many suggestions which the committee did not adopt; and it will be found, as we proceed with the consideration of the bill, that the misplacement as to the Consuls, if the gentleman will permit me, at the proper time will be remedied by amendment, as I had proposed to suggest that to the House on the part of the committee, because I have had already under consideration that very fault in the printed bill.

The department had recommended certain increases of salary, but under the rules of the House and the interpretation given to them we did not think we would undertake to recommend any changes of law in this bill, but would leave all such changes and increases for the general bill, which we hope to present to the House at an early day. It is easy

to account for the misplacement as to the few consulates of which the gentleman speaks. The estimates of their salaries were sent to the committee.

The increase in salary involves a change in the classification of Consuls, Consuls being classed under the present system according to salary. Therefore, it occurred, as the gentleman suggested, that some of these Consuls appear in the wrong place; but when we reach those lines there will be nothing more easy than to ask the striking out of the name of the misplaced Consul and its insertion in its proper place.

As the gentleman from Massachusetts (Mr. Rice) explained to the House just now, the $600,000 which makes the difference are accounted for by the fact that the department in its estimates has sent a recommendation in regard to those items to the Committee on Foreign Affairs, supposing the amount for the Mexican Boundary Commission, the amount of the French Claims Commission, and also the amount for the Haytian Commission belonged to the consideration of that committee. But I was instructed to ask that the committee be discharged from the consideration of those items; and, as stated at the outset, they will probably appear in the sundry civil bill. Therefore, I fail to see how it can be said, after this explanation, that there is any danger of the House being misled as to the purpose of the committee in this bill.

I will ask that the Clerk commence the reading of the bill by paragraphs.

* * *

The Clerk read the following paragraph:

Hiring of steam launch for use of the Legation at Constantinople, $1,800.

Mr. HOLMAN.— I hope there will be some explanation of this item. This is a new appropriation.

Mr. BELMONT.— It has been customary to have a steam launch for the use of the Legation at Constantinople, and it is absolutely necessary. The increase in this item is $800.

The CHAIRMAN.— There is no motion pending.

Mr. HOLMAN.— I move to strike out the last word in order that the gentleman from New York may give an explanation.

Mr. BELMONT.— I understood the gentleman from Indiana to say that this was a new item.

Mr. HOLMAN.— New as to the amount.

Mr. BELMONT.— The fact is the steam launch has been used by the Legation at Constantinople for years past; the Minister being unable to reach the place of his official duties unless he has one.

Mr. WILSON.— Is there an increase?

Mr. BELMONT.— There is an increase of $800.

Mr. WILSON.— Was that given because of the increase in the size of the Minister?

Mr. BELMONT.— The request of the Minister has very recently been presented to the Department of State and to the committee, and there was not any difference of opinion that I know of in regard to the justice of his demand. I have in my hand the letter of the Minister, which fully describes the necessity for this launch. I hardly think it necessary to have it read.

(Mr. Cannon addressed the committee, opposing the proposition.)

Mr. BELMONT.— Before he takes his seat, I would like to ask the gentleman from Illinois, for whose experience in these matters I have very great respect, whether he does not know that this appropriation is absolutely necessary?

Mr. CANNON.— If my friend asks me whether I know that this appropriation is or is not absolutely necessary, I answer that I never was at Constantinople and can not say. I know that Mr. S. S. Cox, who was formerly a member of this House, is our Minister there under this administration, and I have no doubt that he says the appropriation is necessary, and I am not going to antagonize it. However, it is no more necessary for the Democratic Minister there than it was for the Republican who was there.

Mr. BELMONT.—As the gentleman has been a member of the Committee on Appropriations, he must have investigated this subject, and must undoubtedly have found that our Minister at Constantinople is compelled to have this mode of conveyance, and for that reason an appropriation has been made for it every year. If it is necessary, Mr. Chairman, to explain this matter further, I think the letter of the Minister, to which I have already referred, may as well be read.

Mr. MORRISON.— Mr. Chairman, before we get away from this subject I want to move to strike out this $800.

Mr. SPRINGER.— Let us have the letter read.

The Clerk read the letter.

(Messrs. Cannon, Morrison, Hewitt and others addressed the committee.)

Mr. BAYNE.— I rise more for the purpose of inquiring of the chairman of the Committee on Foreign Affairs as to whether or not we make provision of this character for any other Minister, than to make any comments on the proposition.

Mr. BELMONT.— It is not necessary anywhere else than in Constantinople, and that is the reason for making it there.

Mr. BAYNE.—As I understand it, then, it is an exceptional case. We propose to supply a yacht to our Minister Plenipotentiary at Constantinople in order that he may make a favorable showing and a successful race on the Bosphorus with the resident Ministers of other countries of the world.

Mr. BELMONT.— The gentleman from Pennsylvania misapprehends entirely the purpose of the appropriation. Surely the gentleman does not mean to create a wrong impression as to the actual facts. He must know that all the representatives of other governments at Constantinople are compelled to cross the Bosphorus in the discharge of their duties, because they live in another quarter — they live in the European quarter — and they must cross the water in something, and it has been customary to allow the steam launch to be used by our Minister for that purpose.

Mr. BAYNE.— Then this is a new departure, and I cordially approve the position taken by my friend from Illinois (Mr. Morrison). I am disposed to think that if you begin to supply yachts and carriages and other things for our Ministers abroad you will depart from a very correct principle. Our best plan is, I think, to pay a salary, and we do pay a very large one in these cases, and let our Ministers expend that in supplying themselves with such things as they may need in the service.

Mr. BELMONT.— How would the gentleman enable them to pay the rent, for instance?

Mr. BAYNE.— I do not understand the gentleman.

Mr. BELMONT.— What plan would you suggest to enable them to pay their rent? Would you recognize the system which has been in operation so long, or reject it?

Mr. BAYNE.— Why, if we are in the habit of paying rent, let us pay it.

Mr. BELMONT.— Well, we have been in the habit of paying for this particular steam launch, which the gentleman will persist in calling a "yacht." It is a means of conveyance absolutely necessary to the Minister in the discharge of his official duties as he is compelled to live in the European quarter, where all the other Legations are situated, and is obliged to cross the Bosphorus in order to reach the officials of the Turkish Government.

Mr. KING.— In line with the remarks of the gentleman from Illinois (Mr. Morrison) I send to the desk to be read a part of the speech made by our very worthy Minister at Constantinople on this very subject. It is dated March 4, 1882.

The Clerk read the speech. * * *

Mr. KING.— If the gentleman from New York will allow me, I wish to state that in asking to have that speech read I did so for the purpose of saying that I believe if Mr. Cox were here he would vote for the proposed amendment as being in the direction of economy.

The question was taken, and the motion of Mr. Morrison to strike out the $800 was not agreed to.

After the consideration of several paragraphs, the Clerk read as follows:

SCHEDULE "B."

Salaries, Consular Service (Class 1):

Consuls-General at London, Paris, Havana and Rio de Janeiro, at $6,000 each, $24,000.

Mr. CANNON.— I move to amend by striking out line 144, "salaries, consular service (class 1)," and inserting in lieu thereof "salaries, Consuls-General."

Mr. HOLMAN.— If that amendment is subject to a point of order, I wish to reserve the point.

Mr. CANNON.— I call the attention of the gentleman from New York (Mr. Belmont) to the fact that if this heading is intended to conform to the current law it is misleading. The amendment which I have offered will make it conform to that law.

Mr. BELMONT.— The gentleman will observe that this is a classification of officers of consular service; that there is in this class a number of Consuls-General and two Consuls, one at Liverpool and the other at Hong Kong, the one at $6,000 and the other at $5,000. These Consuls belong in this class, and, therefore, the heading simply describes the class — "salaries, consular service (class 1)." I do not see any necessity for the gentleman's amendment; in fact, I think the change might be somewhat misleading, from the fact that there are included in this class two Consuls, one at $6,000 and the other at $5,000.

Mr. CANNON.— But my friend will observe that this part of the bill provides for Consuls-General —

Mr. BELMONT.—And two Consuls.

Mr. CANNON.—And these Consuls-General are not Consuls of class 1. The bill in this heading departs from the current law.

Mr. BELMONT.— I do not object to the amendment.

Mr. CANNON.— I suspect that the gentleman from New York intended to make this appropriation bill correspond, perhaps, to some change in the classification hereafter to be made — possibly embraced in legislation to be reported by his committee. But I do not believe it is a very good idea to depart from the usual form.

Mr. BELMONT.— There is no change attempted in this bill. The classification here is according to the old plan, that is to say, according to salaries. The classification recommended by the committee in the other bill is on an entirely different basis.

Mr. CANNON.— Very well; then my amendment is proper if the gentleman wants to conform to the existing classification.

Mr. BELMONT.— I am perfectly willing to accept the gentleman's suggestion, but again call his attention to the fact that there are two Consuls included among these Consuls-General.

Mr. CANNON.— But they are not Consuls-General.

Mr. BELMONT.— They are Consuls.

Mr. CANNON.— When we reach the proper place they ought to be transposed.

Mr. HOLMAN.— I have not been able to understand the remarks of the gentleman from New York (Mr. Belmont) as to this rearrangement. I do not understand the motive for it.

Mr. BELMONT.— Schedule B, "Salaries, consular service (class 1)," includes all the Consuls-General and two Consuls — one at Liverpool, at $6,000; and the other at Hong Kong, at $5,000. Class 2 includes Consuls at $3,500 and $3,000.

Mr. HOLMAN.— Then in Schedule B there is no change in the number of officers or in salaries; it is simply a rearrangement — nothing more?

Mr. BELMONT.— Nothing more.

The amendment of Mr. Cannon was agreed to. * * *.

Mr. CANNON.— I think the Clerk, in making up this bill, has fallen into a mistake. I offer the amendment which I send to the desk.

The Clerk read as follows:

On page 9, strike out lines 162, 165 and 166; preceding line 163 insert "salaries, consular service," and preceding line 167 insert "class 2."

Mr. CANNON.— The gentleman from New York will allow me to suggest that if the lines which I propose to strike out be transposed to line 203, they will then come under the proper class.

Mr. BELMONT.— I was about to propose that line 165 be struck out; and further on I shall move to insert it in the proper class.

Mr. CANNON.— My amendment will put these Consuls in the proper class.

Mr. BELMONT.— It seems to me that the gentleman's amendment would transfer to class 2 the Consul at Liverpool and the Consul at Hong Kong, both of them now belonging to class 1. I think the gentleman will see that.

Mr. CANNON.— I think not. I ask the Clerk to read the amendment again.

The amendment was again read.

Mr. BELMONT.— Under the operation of that amendment, where would the consulates at Liverpool and Hong Kong be?

Mr. CANNON.— They would appear immediately after that.

The amendment was adopted.

Mr. KING.— In the rapid reading by the Clerk I did not notice when he reached St. Petersburg. I ask unanimous consent to offer an amendment, the effect of which will be to curtail expenses. I do not think anyone will object.

Mr. BELMONT.— It seems to me that we had better proceed in regular order.

There being objection from Mr. Belmont, the Clerk continued reading, as follows:

Belgium: Consul at Brussels, $2,500.

Mr. BELMONT.— Line 165, "Consulate at Antwerp, $2,500," was stricken out, and I now move to insert after "Brussels" "and Antwerp," so it will read: "Belgium: Consuls at Brussels and Antwerp, $2,500 each." This is merely a transfer.

The amendment was agreed to.

Mr. HOLMAN.— I express my regret again that the gentleman from New York, chairman of the Committee on Foreign Affairs, has deemed it necessary to make a change by repeating the salaries of these foreign Consuls. Instead of avoiding, in my judgment, it creates confusion and uncertainty as to the grouping of these Consuls.

Mr. BELMONT.—The Committee on Foreign Affairs has unanimously reported to this House and will ask for the consideration of a bill changing the basis of this classification. It will be found, I think, to be a great improvement on the old system.

Mr. HOLMAN.— How can it be an improvement?

Mr. BELMONT.— When the House comes to consider the bill the gentleman himself, I think, will admit it. We are trying to carry out as far as possible the old classification in this appropriation bill, but

when the House comes to consider the bill for the reorganization of the consular service it will be found the classification recommended is much better in every way than the old system. * * *

After further debate, the hour of five o'clock having arrived, the House adjourned without having concluded the consideration of the bill.

[DEBATE CONTINUED, MAY 13.]

Mr. BELMONT.— Mr. Speaker, I move that the House resolve itself into the Committee of the Whole for the purpose of further considering the diplomatic appropriation bill.

The motion was agreed to; and the House resolved itself into the Committee of the Whole, Mr. Hatch in the chair. * * *

The Clerk read as follows:

Friendly and Navigator's Islands: Consul at Apia, $1,500.
Chili: Consul at Talcahuano, $1,000.

Mr. BELMONT.— I move to strike out the paragraph in lines 250 and 251, and also line 252, with a view of inserting them hereafter at their proper places in the bill.

The motion was agreed to.

The Clerk read as follows:

Turkish Dominions: Consul at Sivas, $1,500.

Mr. BELMONT.— At this point, Mr. Chairman, I move to insert the line 250, stricken out a moment ago, as follows:

Friendly and Navigator's Islands: Consul at Apia, $1,500.

Mr. HOLMAN.— I do not understand because of the rearrangement of this bill, which is so different from what we have had before, what is the necessity of this amendment. I should be glad if the gentleman would state it. What is the effect of the amendment?

Mr. BELMONT.— It is simply to put the salary in the class to which this officer belongs.

Mr. HOLMAN.— Under the present law?

Mr. BELMONT.— Yes; and the manner in which it is inserted in the wrong place arose from the fact that the estimates of the department contained a recommendation that this Consul should have the salary raised, and would, therefore, go into another class. The committee, however, preferred to leave him in the class to which he belonged.

Mr. HOLMAN.— So the salary is not raised?

Mr. BELMONT.— No, sir; on the contrary, he remains by this amendment where he was prior to the preparation of this bill.

The amendment was agreed to.

SCHEDULE "C."

Salaries, Consular Service (Class 7):

* * *

Mr. BELMONT.— I am instructed by the Committee on Foreign Affairs to move, in line 448, to strike out "one hundred and thirty" and in lieu thereof to insert "one hundred and fifty," so it will read:

Expense of providing all such stationery, blanks, record and other books, seals, presses, flags, signs, rent, postage, furniture, statistics, newspapers, freight, foreign and domestic; telegrams, advertising, messenger service, and such other miscellaneous expenses as the President may think necessary for the several consulates and commercial agencies in the transaction of their business, $150,000.

Mr. HOLMAN.— I call for a division on that amendment.

The committee divided, and there were — ayes, 33; noes, 21.

Mr. HOLMAN.— No quorum has voted.

Mr. BELMONT.— If the gentleman will withdraw his demand for a division I think I can satisfy this Committee of the Whole of the necessity and justice of the amendment which I have offered under the instructions of the Committee on Foreign Affairs.

Mr. HOLMAN.— I take it for granted, of course, there will be no objection to the gentleman from New York explaining the amendment which he has moved.

The CHAIRMAN.— The gentleman from New York will proceed, no objection having been made.

Mr. HOLMAN.— Before the gentleman from New York proceeds, I wish to call attention to the fact that these contingencies have been increased some $20,000, and now it is proposed to increase them to the extent of $20,000.

Mr. BELMONT.— I am as earnest a friend of economical administration of government as any gentleman possibly can be on either side of this House. The necessity for this appropriation, moved in the amendment I have offered, is the reason why the Committee on Foreign Affairs have unanimously recommended the amendment which I have submitted. Although in the first instance we thought the department might be able

to get along with $130,000 appropriated in this paragraph, upon further inquiry it was found that during the last eight years this has been about the average limit of the cost of this service. A comparison of the books shows that one year differs very little from another in this respect, and that for a number of years the appropriation for consular contingent expenses have been less than the known requirements of the service, the deficit being supplied each year by a deficiency appropriation. For the past eight years the appropriations have been as follows:

FISCAL YEAR.	General appropriation.	Deficiency.	Total.
1878	$115,000 00	$17,637 17	$132,637 17
1879	115,000 00	21,929 50	136,929 80
1880	115,000 00	29,511 75	144,511 75
1881	125,000 00	13,836 78	138,836 78
1882	135,000 00	16,983 19	151,983 19
1883	135,000 00	19,546 00	154,546 00
1884	110,000 00	41,598 56	151,598 56
1885	110,000 00	34,970 35	144,970 35

The result of the deficiencies in this particular branch of the service is not only to embarrass but to discredit American Consuls abroad. I do not know whether this matter has been brought to the attention of the House hitherto, but it was a matter of surprise to the committee that for several years past American Consuls have been subjected to this form of humiliation.

Under the law, Mr. Chairman, Consuls are required to draw upon the State Department for the amounts expended by them in the discharge of their official duties. These drafts have often been dishonored and have been protested because the department has not had the funds to meet them, and there are at present over $7,000 in drafts of Consuls which remain dishonored. The House has received a communication from the Secretary of State, addressed to the Committee on Appropriations, asking for $40,000 in the deficiency bill to meet these drafts. While this has been called a contingent fund, the fact really is, all the separate expenditures under this heading are made according to provisions of law.

Mr. CRUTCHEON.—What is the amount of the current appropriation for this purpose?

Mr. BELMONT.—It is $110,000, and I hope the House will give its attention to the present condition of these expenses under the last appropriation bill.

From a statement prepared by the disbursing officers of the State Department, with a view of asking Congress for an immediate deficiency appropriation of $40,000 to meet the expenses under this head for the current fiscal year, it appears that the expenditure for the contingent expenses of consulates for the first six months of the present fiscal year have been as follows:

Rent	$34,999 76
Postage	12,012 49
Stationery and blank forms	11,934 22
Furniture	1,669 85
Statistical information	2,142 42
Messengers and Oriental writers	2,138 00
Traveling expenses	277 00
Miscellaneous	7,451 41
Expended by department for stamps, flags, seals, etc	7,429 78
Total	$80,055 77

It will be noticed that the expenditure for rent is at the rate of $70,000 a year, out of an appropriation of $110,000. The rent allowance is provided for by permanent statutes. Under section 1700, Revised Statutes, Consuls above the $1,000 grade may be allowed rent to the extent of twenty per cent. of their salaries. The consular salaries of this class for the present fiscal year amount to $345,000. Twenty per cent. of this sum would be $69,000, which leaves, at the current rate of expenditure, only $1,000 for the rents of all the feed Consuls, who by section 1732, Revised Statutes, are also entitled to receive such allowance for rent as may be approved by the Secretary of State.

The other main items of consular expenses are almost as certainly fixed in practice as that of rent, though not specifically established by law.

So it is not only impossible with the present appropriation to carry out the law in regard to rent, but in regard to other necessary expenses. The Consuls, of course, can not be expected to pay office rent out of their own pockets any more than the officials of the State Department here can be expected to pay for the use of their offices in the public buildings. Consuls, in carrying out their instructions under the law, are required to draw upon this fund. They have so drawn, but their drafts have been protested and remain protested.

I desire to say, on behalf of the committee, we have had many appeals from Ministers and Consuls for increases which we were compelled to refuse.

We have presented what we deemed to be an economical bill. But from the very reasons of economy, it seems to me that this method hitherto in practice of appropriating an amount of money known and proved to be below the absolute needs of a department under the law, and then making the pretense of increased economy in the preparation of the bill as so constructed, with a view of appealing again to the House for a deficiency, is neither wise nor proper legislation, and in this case it is a vicious form of legislation and even discreditable, since it has discredited our own officials, and for these reasons I now ask a vote on the amendment.

Mr. HOLMAN.— The sum appropriated for the present fiscal year for contingent expenses of our foreign Ministers is $75,000.

Mr. BELMONT.— Will the gentleman permit me to ask a question? Does he not know that there is already a deficiency on that account?

Mr. HOLMAN.— Yes, sir; I understand the Ministers have overdrawn sums allowed for contingencies.

Mr. BELMONT.— There is a deficiency, nevertheless.

Mr. HOLMAN.— There is no deficiency in the proper sense of the term, and there could not be a deficiency in such case without a violation of law.

Mr. BELMONT.— The manner in which these bills have been presented has compelled a deficiency in this fund; and the gentleman will find that it does exist and amounts to about $14,000.

Mr. HOLMAN.— I am very confident that there is no proper deficiency. The law expressly declared the sum that might be expended during the fiscal year.

Mr. BELMONT.—A deficiency, however, exists for foreign missions. The rule of the department is different in regard to consulates. The rule requires that the Consuls shall be paid a certain amount for rent, etc., out of the contingent fund for consulates, whereas the department having been given a certain amount for foreign missions can only distribute that amount among them. Nevertheless, under the present system, deficiencies have been introduced in both services, and provision has been made for them. In the present case a deficiency will have to be provided.

Mr. HOLMAN.— I repeat, that under the present state of the law there can be no deficiency. That could only arise under a violation of the law; and it will be seen from the very items which make up this provision of contingent expenses that it would be impossible, without a violation of the law, to create a deficiency. The law expressly limits the sum that could be expended. The law indicates the purpose and extent

of the expenditure, "for the purpose of enabling the President to provide such stationery, blank-books, seals, presses, blanks, etc., as he shall think necessary," etc., $75,000. Such are the terms and other provisions of the law; making allowance, as will be seen, for nearly every possible item of contingencies that ought to arise.

The law for this fiscal year appropriates for these purposes $75,000. The present bill appropriates $105,000, an increase of $30,000.

For the consulates, the contingencies are stated in the law of the present fiscal year substantially as follows:

For the purpose of allowing the President to provide, at the public expense, all stationery, blanks, record and other books, seals, presses, flags and signs as he shall think necessary for the several consulates in the transaction of their business, and also for rent, postage, telegrams, furniture and traveling and miscellaneous expenses, and for printing in the Department of State, $110,000.

The bill reported and now under consideration proposes to increase the amount $20,000, making it $130,000, and the amendment offered by the chairman increases that amount $20,000 more, making it $150,000. The increase to $130,000 was unjustifiable, and yet $20,000 more is to be added.

I take issue with gentlemen who speak of the possibility of an American citizen representing this Republic abroad, as Minister or Consul, being humiliated by its frugality in expenditure in the diplomatic and consular service. I do not consent to that form of speech.

Mr. BELMONT.— Let me interrupt the gentleman.

Mr. HOLMAN.— Let me complete the sentence. I do not consent that the service of a representative of this country in any foreign government, under any conditions, if he bears himself as becomes the representative of the republican institutions of his Government, can by any possibility be humiliated in his intercourse with foreign powers. Such speech is not admissible, certainly not here. * * *

Mr. BELMONT.— I shall not detain the committee more than a minute, but I regretted, at the time the gentleman from Indiana was speaking, that he did not allow me to state that he must have misapprehended me. When I spoke of the humiliation to which our officials have been put under the present system of deficiency appropriations, that had nothing whatever to do with the amount of their salaries. The Committee on Foreign Affairs has been careful to retain the salaries according to existing law. What I referred to was the humiliation put upon Consuls when drawing upon the State Department for expenditures authorized by law, and their being compelled to submit to having their drafts protested,

and remaining protested until the deficiency bill comes in to make up the necessary amount.

Mr. RICE.— Does not the evidence of the State Department show that for three years these expenses every year have exceeded $150,000, and that the drafts of the Consuls have had to go to protest, to the dishonor of our name and of their credit?

Mr. BELMONT.— That is so. And while the last bill appropriated $110,000, there is now a request from the department for $40,000 more to be put in the deficiency bill, making $150,000, the very amount we are asking here.

Mr. HOLMAN.— Does the gentleman think we can get along as economically as our predecessors?

Mr. BELMONT.— We are appropriating here the same amount as has been required heretofore.

The yeas and nays being called, the amendment was adopted, and the bill passed by the House.

[SEE CONFERENCE REPORT ON THIS BILL, JUNE 30, 1886.]

REMARKS ON THE ARTHUR KILL BRIDGE.

June 7, 1886.

THE HOUSE HAVING UNDER CONSIDERATION THE BILL (S. 121) TO AUTHORIZE THE CONSTRUCTION OF A BRIDGE ACROSS STATEN ISLAND SOUND, KNOWN AS ARTHUR KILL, AND TO ESTABLISH THE SAME AS A POST-ROAD —

Mr. BELMONT said:

Mr. Speaker.—As Richmond county, or Staten Island, is part of the constituency I have the honor to represent, I will avail myself of the leave granted by the House to present the reasons for my support of the bill now before the House "to authorize the construction of a bridge across the Staten Island sound, known as Aruthr Kill, and to establish the same as a post-road." The bill was introduced by myself at the outset of this session. It asks nothing of the United States but a right of way in the interests of interstate commerce over a navigable channel, and surrounds the granting of that right with every proper precaution against undue interference with navigation, which, I assume, is the only point this House will feel called upon to guard. No question of the right of Congress to pass the bill can be seriously raised and maintained, except, perhaps, for dilatory purposes, and then not in the public interest. The authority of Congress over all navigable streams within our own borders has been settled by a long line of decisions of the Supreme Court, and especially and absolutely so where the tide ebbs and flows, as in this case. The only question is one of expediency, and on that point I think the proofs are overwhelming.

The bill authorizes the Staten Island Rapid Transit Railroad Company, a corporation existing under the laws of the State of New York, and the Baltimore and New York Railroad Company, a corporation existing under the laws of New Jersey, to construct, for the passage of railroad trains, across that part of Staten Island sound known as Arthur Kill, from New Jersey to Richmond county (Staten Island), New York, a pivotal draw-bridge, with a span of not less than two hundred feet on each side of the central pier, and of a height not less than thirty-two feet from the lowest part of the structure to mean low-water mark. The use of the bridge is not restricted to the two railroads named. Any railroad, by paying a reasonable compensation to the owners, can traverse

the bridge; and it is further provided that if the Secretary of War shall at any time deem a change of construction necessary to prevent obstruction to navigation, or if he shall even deem the removal of the whole structure necessary for this purpose, he shall have power to direct it to be done at the cost of the owners of the bridge. In this and every other respect ample precautions have been taken to protect the navigation of this most important waterway.

It may, perhaps, be necessary to explain to gentlemen not familiar with the topography of New York harbor that Arthur Kill is a narrow arm of the sea separating the west side of Staten Island from the New Jersey shore and connecting Raritan bay with the Kill von Kull, the latter a channel which debouches into Upper New York bay and divides Bergen Neck, New Jersey, on the north from Staten Island on the south. Arthur Kill has a length of twelve miles and a width varying from three thousand six hundred feet at its widest to six hundred feet at its narrowest point and a current ranging, according to the estimates of different engineers, from one and a quarter to two and a half miles an hour.

The bill as originally framed provided that the proposed bridge should be constructed at the narrowest point; but as it now comes before the House this question is left absolutely to the discretion of the Secretary of War, the bill enacting that a detailed map of the sound, showing the depths and currents at the proposed site of the bridge, shall be first submitted to him, and that without his approval of plan and location the bridge shall not be built.

This is not a new question before Congress or the country. A bill of similar purport (H. R. 4830) was introduced by myself in the first session of the Forty-eighth Congress. It was very carefully considered by the Committee on Commerce who reported a substitute (H. R. 7165) embracing most of the main features of the original bill. Pending action by a co-ordinate branch, the engineers of the War Department were called upon to investigate the matter. Major Gillespie, the officer selected for this purpose, made a careful and able report, fully recognizing the importance of the waterway proposed to be bridged, in respect to which he said:

> Arthur Kill is the grand highway for all the local commerce of the several ports and streams on the west side of Staten Island, as well as for the interstate commerce passing south and west through the Delaware and Raritan canal, which connects the Raritan river at New Brunswick, N. J., with the Delaware river at Trenton, N. J. This canal is one of the principal links of the chain of internal navigation of the Atlantic seaboard.

He added:

The draws which are described in the bill are sufficiently wide to meet all the requirements of the commerce along the route over which the bridges are to be built.

(There were two bridges proposed in the bill as originally introduced; in the present bill one only is provided for.) And in closing his report he said:

The main objects to be gained by the construction of these bridges are to give rapid transit around the island to points on the New Jersey shore, to increase the facilities for reaching New York, and to provide means for reaching coal wharves to be built, it is said, by the coal-carrying roads on deep water on the east side of the island.

It is a comprehensive enterprise, which, if successfully carried out, will add greatly to the commercial character of the island and the adjacent shores, and the bridges may be safely authorized to be built under the restrictions of the bill without any detriment to commerce, present or prospective.

This report was concurred in by Major-General Wright, Chief of Engineers, and Major-General John Newton, Chief of Engineers, and was approved by Secretary Lincoln. On the 8th of January last the matter was referred to the War Department. It was re-examined, and the bridge over the Arthur Kill was again recommended with only one suggested change, namely, that the height in the clear between the bridge structure and the water be measured from mean low water and be made thirty-two feet (instead of thirty feet). This recommendation was transmitted to Congress with the approval of Secretary Endicott, and the suggested change from thirty to thirty-two feet is embodied in the pending bill.

The value of the railroad transportation estimated to pass over the bridge is $200,000,000 per annum; the outside annual value of the commerce which will pass under the bridge is estimated by engineers opposed to the measure at some $68,000,000. The chief trade through the Arthur Kill consists of the towage of barges laden with coal, pottery, brick clays, fertilizers, ores, and the coarser kinds of chemicals — coal largely predominating. The Pennsylvania railroad has a terminal depot for its heavy freights at South Amboy, and the Lehigh Valley railroad has a similar terminal depot at Perth Amboy, both near the suggested site of the bridge, on the south side of it; and the Jersey Central railroad has a terminal coal depot at Elizabeth, to the north of it — all three of these terminal depots being on the west shore of the Arthur Kill. In fact, to use the language of one of the prominent opponents of the bill, this channel, so long as it remains unbridged, "is the end of rail commerce

between the west and the east," and, therefore, he wishes it to remain so, because "here commences a great system for the distribution of that commerce" by boats to the New England ports and elsewhere.

The construction of this bridge will extend to the people of the West and South increased facilities for the marketing of their products, and will reduce by competition the cost of transportation of coal and other heavy freight to them as well as to the Eastern States. It will greatly diminish the terminal charges and add ten or twelve miles of deep-water wharfage to the harbor facilities of the port of New York, and will bring about a wholesome competition in passenger rates.

The bill should pass.

REMARKS ON INAUGURATION OF STATUE OF LIBERTY ENLIGHTENING THE WORLD.

June 18, 1886.

Mr. BELMONT.— I am directed by the Committee on Foreign Affairs to present a report which I send to the desk. I will ask that it be read. On the 12th of May last a message from the President of the United States urging upon Congress action in the matter of an appropriation of such sum of money as in the judgment of Congress shall be deemed adequate to defray the cost of the inauguration of the statue of "Liberty Enlightening the World," presented by citizens of the French Republic to the people of the United States in commemoration of our independence as a nation, was referred to the Committee on Foreign Affairs, with leave to report at any time. I ask that the report be read.

The Clerk commenced to read the report.

Mr. OATES (interrupting the reading).— Is that a privileged matter?

The SPEAKER.— The message was referred to the Committee on Foreign Affairs, with leave to report at any time. The Clerk will continue the reading.

The Clerk continued and concluded the reading.

Mr. BELMONT.— I ask the adoption of the report. The Committee on Foreign Affairs is of opinion that the Government is in honor bound to make provision for this inauguration, under the joint resolution of Congress of March 3, 1877, and, therefore, recommends that a suitable appropriation be made. The committee now asks to be discharged from the further consideration of the matter, and that it be referred to the Committee on Appropriations. It is a subject which properly belongs to the Committee on Appropriations, and that committee can report an appropriation in connection with the sundry civil bill.

By joint resolution of Congress, approved March 3, 1877, the President was authorized and directed to accept the colossal statue of "Liberty Enlightening the World," when presented by the citizens of the French Republic, and to designate and set apart for the erection thereof a suitable site upon either Governor's or Bedloe's Island, in the harbor of New York, and upon the completion thereof to cause the statue "to be inaugurated with such ceremonies as will serve to testify the gratitude

of our people for this expressive and felicitous memorial of the sympathy of the citizens of our sister republic."

The President was further thereby "authorized to cause suitable regulations to be made for its future maintenance as a beacon, and for the permanent care and preservation thereof as a monument of art and the continued good-will of the great nation which aided us in our struggle for freedom." Thursday, the 3d of September, being the anniversary of the signing of the treaty of peace at Paris by which the independence of the United States was recognized, has been selected as an appropriate date for the ceremonies of inauguration.

The question being taken, the Committee on Foreign Affairs was discharged from the further consideration of the message, which, together with the report of the committee, was referred to the Committee on Appropriations.

The following is the resolution reported from the Committee on Foreign Affairs, approved unanimously by both Houses, and signed by the President.

Joint resolution authorizing the President to designate and set apart a site for the colossal statue of "Liberty Enlightening the World," and to provide for the permanent maintenance and preservation thereof.

Whereas, The President has communicated to Congress the information that citizens of the French Republic propose to commemorate the one hundredth anniversary of our independence by erecting, at their own cost, a colossal bronze statue of "Liberty Enlightening the World," upon a pedestal of suitable proportions, to be built by private subscription upon one of the islands belonging to the United States in the harbor of New York; and,

Whereas, It is proper to provide for the care and preservation of this grand monument of art, and of the abiding friendship of our ancient ally; therefore,

Be it Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled, That the President of the United States be and he is hereby authorized and directed to accept the colossal statue of "Liberty Enlightening the World," when presented by citizens of the French Republic, and to designate and set apart for the erection therefor a suitable site upon either Governor's or Bedloe's Island, in the harbor of New York; and upon the completion thereof shall cause the same to be inaugurated with such ceremonies as will serve to testify the gratitude of our people for this expressive and felicitous memorial of the sympathy of the citizens of our sister republic; and he is hereby authorized to cause suitable regulations to be made for its future maintenance as a beacon, and for the permanent care and preservation thereof as a monument of art and of the continued good-will of the great nation which aided us in our struggle for freedom.

[SEE FURTHER REMARKS ON THIS SUBJECT, JULY 1, 1886.]

CONSULAR AND DIPLOMATIC BILL.

CONFERENCE REPORT.

June 30, 1886.

[SUBJECT CONTINUED FROM MAY 13, 1896.]

[JUNE 18, MR. BELMONT REPORTED BACK THE BILL FROM THE COMMITTEE ON FOREIGN AFFAIRS, WITH THE SENATE AMENDMENTS, AND RECOMMENDED NON-CONCURRENCE IN CERTAIN OF THE AMENDMENTS; A CONFERENCE WAS APPOINTED LATER.]

Mr. BELMONT.—Mr. Speaker, I desire to present the report of the Committee on Conference on the disagreeing votes of the two Houses upon the consular and diplomatic bill.

The report was read. It recommended:

That the Senate recede from its amendments numbered 3 and 4.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 8, 9, 10, 11 and 12; and agree to the same. That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment as follows: Restore the matter stricken out by said amendment; and the Senate agree to the same.

The following statement was submitted by the conferees on the part of the House:

* * *

Amendment No. 1 provides the sums severally appropriated in the bill shall be in full compensation for the fiscal year ending June 30, 1887.

Amendment No. 2 appropriates $20,000 instead of $15,000, as provided by the House bill, for charge d'affaires *ad interim* and diplomatic offices abroad.

Amendment No. 3 restores the appropriation of $500 as passed by the House, instead of $800 as provided by Senate amendment, for an interpreter to the Legation and Consulate-General at Bangkok, Siam.

Amendment No. 4 restores the Arabic Clerk at the Consulate at Tangiers provided for by the House.

Amendment No. 7 restores the appropriation of $15,000 to meet the necessary expenses attendant upon the execution of the neutrality laws as provided for by the House. It also agrees to the appropriation of $50,000 recommended by the Senate to enable the President to meet unforeseen emergencies arising in the diplomatic and consular service and to extend the commercial and other interests of the United States.

Amendment No. 8 makes the salary of the Consul-General at Halifax $3,500 instead of $3,000, as provided by the House.

Amendment No. 9 specifies the total sum provided for salaries of Consuls, Vice-Consuls and commercial agents.

Amendment No. 10 restores the classification of Consuls to the law for the present year with the exception of the Consulship at Apia, which is increased $500.

Amendment No. 11 provides that in the estimates for the fiscal year ending June 30, 1888, there shall be estimated for specifically, under classified consulates, all consulates and commercial agencies where the fees collected or compensation allowed for the fiscal year ending June 30, 1886, exceeds $1,000.

Amendment No. 12 specifies the total sum appropriated for clerks at consulates, and provides that the sum to be allowed at each consulate shall not exceed rate specified in the bill.

PERRY BELMONT,
WM. R. COX,
W. W. RICE.
Managers on the part of the House.

The report of the Committee on Conference was agreed to.

REMARKS ON INSTALLATION OF STATUE OF "LIBERTY ENLIGHTENING THE WORLD."

July 1, 1886.

[CONTINUED FROM JUNE 18, 1896.]

[THE COMMITTEE OF THE WHOLE HAVING UNDER CONSIDERATION THE SUNDRY CIVIL APPROPRIATION BILL, MR. RANDALL SUBMITTED AN AMENDMENT PROVIDING FOR THE INSTALLATION OF THE STATUE OF "LIBERTY ENLIGHTENING THE WORLD."]

Mr. HEWITT offered the following substitute for the amendment:

Estimates for the installation of the statue of "Liberty Enlightening the World," on Bedloe's Island, in the harbor of New York, in accordance with the provisions of the joint resolution approved March 3, 1877, to be expended under the direction of the President for the objects specified in the annexed estimate submitted by the engineer of the American committee in charge of the work so far as the President shall deem the said expenditures, or any portion of them, to be necessary and proper, $106,000.

ESTIMATE FOR INSTALLATION OF STATUE OF LIBERTY.

For amount of memorandum of H. F. Spaulding, treasurer of American committee	$15,000
For construction of platforms for ceremonies of inauguration, decoration, music, police	3,520
For refreshments for, say, five hundred invited guests	2,500
For unforeseen expenses of inauguration day	480
For entertainment of official French guests	9,000
For clearing grounds of island, grading and removing unsightly structures	5,000
For building a new wharf of stone and concrete	16,000
For electric-light plant	15,000
For elevator in interior walls of fort	7,200
For connecting arches between walls of fort and foundation mass of pedestal	26,400
Total	$106,000

CHAS. P. STONE,
Engineer-in-Chief.

(Mr. Hewitt and Mr. Bland addressed the committee.)

Mr. BELMONT.— Mr. Chairman, I hope the amendment offered by my colleague (Mr. Hewitt) will be adopted. It is in accordance with the report made by the Committee on Foreign Affairs, who, without recommending any specific amount, reported that the honor of the United States Government was involved in making a suitable appropriation for this purpose. By the statement of the gentleman from Missouri (Mr. Bland) I judge there are those who take this to be a matter of somewhat local character simply because the statue is to be erected in the harbor of New York. It is not a local matter, Mr. Chairman; it is of a national character, and even of an international character. It is so described in the message of the President in these words:

The international character which has been impressed upon this work by the joint resolution of 1877 makes it incumbent upon Congress to provide means to carry their resolution into effect.

The Committee on Foreign Affairs, at its own request, was discharged from the further consideration of the matter, and it was referred to the Committee on Appropriations, to whose province it seemed to belong, to recommend a suitable appropriation. This action on the part of the Foreign Affairs Committee, it appears to me, should be considered in connection with the point of order raised. The chairman of the Committee on Appropriations has presented a resolution which indicates that that committee is in accord with the Committee on Foreign Affairs in believing the joint resolution of 1877 does make the appropriation in order on this bill.

Every dollar called for in the amendment by my colleague (Mr. Hewitt) is covered by the joint resolution of 1877. The resolution commits Congress not only to provide for the expense of inauguration, but that it should also make provision for the permanent care of the statue as a beacon.

That it will eventually come under the control and direction of the Lighthouse Board if an appropriation is now made by Congress is made clear in a letter addressed to me by the Treasury Department, which I will ask the Clerk to read.

The Clerk read as follows:

[INCLOSURE 5.]

TREASURY DEPARTMENT,
June 26, 1886

Sir.— I have the honor to acknowledge the receipt of your letter of the 24th instant, requesting the views of this department as to whether, under the joint resolution of Congress of February 22, 1877, the Bartholdi Statue of Liberty, in New York harbor, would be considered as coming under the jurisdiction of the Lighthouse Board, without further legislation on the part of Congress, so that

its permanent maintenance as a beacon may be considered as assured, after the first expense of establishing it as such has been met, etc.

In reply, I have respectfully to transmit herewith a letter of the Lighthouse Board of this date, from which it appears that, while the matter has never been formally considered by the board in session, it has been assumed that eventually this statue, when inaugurated, would be placed under the control of the lighthouse establishment for the exhibition of an electric light thereon, and it has been estimated that an appropriation of from $25,000 to $30,000 would be required to cover the cost of the electric-light plant, boilers, engines, dynamos, lamps and accessories, and for the erection of a suitable building for the keepers.

The board states that, as it can not establish a new light without express authority from Congress, it is doubtful whether the joint resolution referred to would place the statue under the jurisdiction of the board without further legislation, but should Congress make an appropriation for the establishment and maintenance of a light thereon, the statue would then be placed permanently under such jurisdiction for lighthouse purposes, subject to such resolutions as the President may see fit to make.

Respectfully yours,

C. S. FAIRCHILD,

Acting Secretary.

Hon. PERRY BELMONT, M. C.,

House of Representatives.

Mr. BELMONT.— It should be remembered that the statue is not to be erected on territory belonging to the State of New York, but on an island which is the property of the United States.

(Here the hammer fell.)

Mr. BELMONT (in reply to Mr. Brumm).— I suppose the gentleman knows the citizens of New York formed a committee which raised $323,000 for the purpose of erecting the pedestal?

After further debate, the amendment of Mr. Hewitt was adopted.

IMPRISONMENT OF JULIO SANTOS.

July 5, 1886.

Mr. BELMONT submitted the following resolution, which was referred to the Committee on Foreign Affairs:

Resolved, That the President be and he is hereby requested, if not incompatible with the public service, to transmit to the House of Representatives the correspondence relating to the imprisonment in Ecuador, and subsequent release, of Julio Santos, a citizen of the United States.

July 10, 1886,

THE ABOVE RESOLUTION WAS FAVORABLY REPORTED BACK FROM THE COMMITTEE AND THE RESOLUTION PASSED.

DEBATE ON GENERAL DEFICIENCY APPROPRIATION BILL.

FOREIGN AFFAIRS.

July 6, 1886.

[IN THE COURSE OF DEBATE IN THE GENERAL DEFICIENCY APPROPRIATION BILL, THE FOLLOWING REMARKS OCCURRED IN THE ITEM.—"TO PAY THE BALANCE FOUND UPON THE ACCOUNT OF MESSRS. BROWN, SHIPLEY & CO., UNITED STATES BANKERS AT LONDON, FOR DRAFTS OF MINISTERS' SALARIES PAID BY THEM, BEING DEFICIENCY FOR THE FISCAL YEAR 1885, $22,000."]

Mr. BELMONT (to Mr. Cannon).—Will the gentleman allow me to ask him a question?

Mr. CANNON.— Certainly.

Mr. BELMONT.— The gentleman knows I agree with him as to the necessity of this appropriation. I would, however, like him to explain how these deficiencies could have existed since 1878. I say they existed in 1882 and 1883. At that time I believe the committee was under the control of his Republican friends.

Mr. RICE.— They followed bad examples. [Laughter.]

Mr. BELMONT.— If the gentleman will permit me, we have in the appropriation recommended by the Committee on Foreign Affairs and carried through the House this year $150,000 for the first time in ten years in order to avoid this discreditable deficiency which seems to have been repeated since 1878. This must be the first time the gentleman from Illinois stated it so clearly and effectively to the House.

Mr. CANNON.— My friend will recollect that in the Forty-fourth Congress the Democratic party came into power in this House. I have before me the original appropriation made from year to year for this service by the Democratic party. I have not those prior to 1878, although, if necessary, I can find them with a little effort. In 1878 $115,000 was appropriated, with a deficiency of $17,000; 1879, $115,000; 1880, $115,000.

Mr. LONG.— How much deficiency?

Mr. CANNON.— Twenty-one thousand dollars and $29,000. In 1881 the appropriation was $125,000; $13,000 deficiency.

Now, mark you, commence two years when the Republican party had a majority, a bare majority, of the House, when you had held it by an

overwhelming majority commencing with 1874. What did the Republican party do? It appropriated $135,000 as against $110,000 when you had power. Again, $135,000 for 1883. What did the Democracy do?

Mr. BELMONT.— The fact is the same. If you created similar deficiency, even if smaller in amount, still you brought about the same condition of affairs as to require protested drafts.

Mr. CANNON.— We did not appropriate enough in two short years. We did the best we could. The Government has been demoralized during the previous years. We did jump up to $135,000. The moment you came into power, under the lead of the gentleman from Missouri (Mr. Burnes), you put it down to $110,000, and there it has stayed until the present year.

(Here the hammer fell.)

Mr. BURNES, of Missouri (in charge of the bill).— I will yield five minutes to the gentleman from New York (Mr. Belmont).

Mr. BELMONT.— I do not think I shall occupy even that amount of time. These questions can be better settled as we proceed with the reading of the bill. I have amendments to offer covering the different points made by the gentleman from Illinois. I hope, therefore, we will not spend any more time in general discussion. I do not think my friend, the gentleman from Missouri (Mr. Burnes) intended injuriously to affect the State Department. But it does seem to me that these omissions from this bill of provisions of obvious necessity for the proper administration of an important branch of the public service prove the efficacy of the new rules distributing the appropriation bills among several committees of the House. The Committee on Foreign Affairs did report a bill, which was carried through the House, containing an appropriation sufficient to avoid this difficulty. The gentleman from Missouri, representing the Committee on Appropriations, does not seem inclined to resist these proper amendments except as they may be subject to the point of order.

Mr. CANNON.— When has the gentleman from Missouri been converted?

Mr. BELMONT.— I presume, when he understood the facts.

Mr. CANNON.— Oh, he understood the facts long before this bill was reported.

Mr. BELMONT.— However that may be, I hope we will proceed with the bill. I do not know that anything need be said on this side.

Mr. BURNES.— * * * Why, sir, what are these drafts? When I draw a draft, unless I have some improper and unlawful purpose in view, I will ascertain in advance if there is money to my credit,

and unless I have such assurance I can not safely draw such draft. A man who draws a draft should have and must have a balance to meet that draft. The fault is not the fault of the Secretary of State; it is the fault of the accursed system under which that department has been operated for twenty-five years or more. The whole system is wrong. We appropriate for the salary of a Consul, say in China, $3,500. That $3,500 ought to be a sacred trust placed in the hands of the Secretary of the Treasury for the payment of that salary and exclusively for that purpose. The money ought to be set apart for him and used for no other purpose; and when it is otherwise used, it seems to me it is unlawfully used. There never ought to be a deficiency in the Consuls' salaries. There never should be a deficiency in the salaries for Ministers, because the law has fixed their salaries and Congress has appropriated for them, and the amount has been placed at the disposal of the Minister and the Consul, to be paid to them through the proper channels.

Mr. BELMONT.— Will the gentleman yield to me now a moment?

Mr. BURNES.— Certainly.

Mr. BELMONT.— I was going to say to the gentleman a moment since that this was not a question of deficiencies in respect to salaries at all. These are deficiencies for expenditures under the law, for rent, stationery, postage, furniture, traveling expenses; and the gentleman will see that it is impossible for the Secretary of State to undertake to inform Consuls all over the world as to the exact condition of the contingent fund. It may be, for instance, that a question like the fisheries, arising in Canada, will come up where a Consul is called suddenly to perform an additional amount of duty. He is expected to perform the duty. The gentleman does not mean to say that the Secretary of the Treasury shall refeuse to allow him to send a telegram because there happens to be no fund set apart for that purpose?

The salaries of Consuls are divided into classes; and those whose salaries exceed $1,000 are also entitled to a sum for rent equivalent to twenty per cent. of their salaries. The consular salaries for the present fiscal year, above those of $1,000 per annum, amount to $345,000. Twenty per cent. of this sum alone would be $69,000, just $1,000 less than the amount to be expended for rent this year. This rent charge is provided for under section 1706 of the Revised Statutes. Then under 1732 rent is to be allowed feed Consuls, and this additional rent charge would much more than make up the difference of $1,000. The amounts of the other main items of consular expenses are almost as certainly fixed

as that of rent. For the first six months of the present year the expenses for postage have been $12,000; for stationery and blank forms, $11,934; for furniture, $1,699; for traveling expenses, messenger service and miscellaneous expenses, $12,000.

Now, the fund is provided by the last appropriation bill — but I beg pardon of the gentleman from Missouri (Mr. Burnes) for occupying his time —

Mr. BURNES.— Go on.

Mr. BELMONT.— I should not have done so except that I think that he is under a misapprehension as to this part of the appropriation. The fact is the rent charge alone under the law amounted to about $70,000, and the total appropriation was only $110,000, so that all the other items which were necessary in the proper discharge of the duties of Consuls in different parts of the world remain unprovided for. I can not imagine any statute which could be so drawn as to provide them in each case. The only thing the House can do is to meet the repeated request of the department which by annual experience finds that about $150,000 is necessary; and this year we have fortunately appropriated that amount for the year 1887. It seems to me if the gentleman from Missouri gives his attention to this matter, he will not find objection to the amendment when it is proposed.

(Messrs. Barnes and Reagan addressed the committee.)

Mr. CANNON offered an amendment embracing the paragraph under discussion and deficiencies to pay certain charges d'affaires, etc.

Mr. BURNES made a point of order.

Mr. BELMONT.— It seems to me that the law bearing on this matter might very properly be cited. I should regret very much if the remarks of my friend from Missouri and the gentleman from Texas should create the impression that I am in any way not in harmony with the purpose of this side of the House to insist that the departments shall expend money as it is appropriated. But that is not the question in regard to this item, and for that reason I desired to say a word against the point of order. If the Chair does not wish to hear further argument, I will ask that the Clerk read the statute which compelled this expenditure.

At the direction of the chairman, the Clerk read as follows:

§ 1740. No ambassador, envoy extraordinary, minister plenipotentiary, minister resident, commissioner, charge d'affaires, secretary of legation, assistant secretary of legation, interpreter to any legation or consulate, or consul-general, consul, or commercial agent, mentioned in Schedules B and C, shall be entitled to compensation for his services, except from the time when he reaches his post and enters upon his official duties to the time when he ceases to hold such office,

and for such time as is actually and necessarily occupied in receiving his instruction, not to exceed thirty days, and in making the direct transit between the place of his residence, when appointed, and his post of duty, at the commencement and termination of the period of his official service, for which he shall in all cases be allowed and paid, except as hereinafter mentioned. And no person shall be deemed to hold any such office after his successor is appointed and actually enters upon the duties of his office at his post of duty, nor after his official residence at such post has terminated if not so relieved. But no such allowance or payment shall be made to any consul-general, consul or commercial agent, not embraced in Schedules B and C, or to any vice-consul, vice-commercial agent, deputy consul, or consular agent, for the time so occupied in receiving instructions, or in such transit as aforesaid; nor shall any such officer as is referred to in this section be allowed compensation for the time so occupied in such transit, at the termination of the period of his official service, if he has resigned or been recalled therefrom for any malfeasance in his office.

The point of order was overruled, and the amendment of Mr. Cannon adopted.

The Clerk read the paragraph beginning —

Salaries to interpreters to legations.

Mr. CANNON.— I submit the amendment which I send to the desk.

The Clerk read as follows:

To pay George C. Foulk, charge d'affaires *ad interim* at Seoul, Corea, the amount of protest fees and expenses incurred by him on drafts returned on account of the exhaustion of the appropriation for salaries of Ministers for the fiscal year 1885, against which they were drawn, $24.01.

Mr. BURNES.— I reserve a point of order on the amendment. I merely desire to call attention to the fact that there is no room for supposing that the salary in this case payable by law was not appropriated, and evidently it was drawn or ought to have been drawn. Furthermore, it seems to me that $24.01 is a pretty good fee for protesting one draft. But I submit this is on a par with a good many other propositions which we see presented here.

Mr. CANNON.—As I explained in the general debate, the salaries of chargés d'affaires are put in hotch-pot, and are drawn against in the same way as the salaries of Ministers. This man was in charge at Corea. He drew his draft for his salary. When that draft was presented there was no money to pay it, no doubt on account of the fund having been exhausted for the payment of other officers, and it was returned to him unpaid.

* * *

Mr. BELMONT.— This is not a question arising in consular service, necessarily, but it is the case as well of a diplomatic officer who takes the

place of a Minister when a vacancy occurs. Under the organizing act of 1856 a man in such a position is called chargé d'affaires *ad interim*, being in charge of the legation, and is entitled to receive one-half the Minister's salary, although his own salary as Secretary of Legation is not then continued. For instance, our Minister to Mexico has lately returned to this country, and during his absence his Secretary of Legation is in charge of his office, and he is, under the law of 1856, entitled to fifty per cent. of the Minister's salary. So it is in Vienna, where we have no Minister at present. The long-continued vacancy at that post materially increases the sum necessary to be expended under this head. As now interpreted, the law requires a separate appropriation. The House can not with propriety fail to meet this obligation.

The CHAIRMAN.— The trouble of the Chair grows out of its ignorance of the law. If a Minister has the right to draw his salary and it is not paid, he would be entitled to have refunded the expense of protest. But if he has no right to draw for his salary upon the Government, then the Government is not liable to pay for the expense of the protest, and it should not be.

After further debate the point of order was overruled. The amendment of Mr. Cannon was agreed to.

After the consideration of several provisions the Clerk read the following paragraph:

Contingent expenses, United States consulates: To supply a deficiency in the appropriation for contingent expenses of United States consulates, $22,000.

Mr. BELMONT.—I offer an amendment which I send to the desk.

The Clerk read the amendment, as follows:

After line 79, insert the following:

"To enable the accounting officers to effect a proper settlement of the accounts of certain consular officers, being deficiencies, as follows: For the fiscal year 1885, $34,970.75; for the fiscal year 1884, $2,174.87; in all, $37,145.22."

Mr. HITT.— Will the gentleman permit to be offered first an amendment which will probably go in prior to his, and which is an amendment in line 78? I desire to offer an amendment to raise the amount for contingent expenses from $22,000 to $40,000.

The CHAIRMAN.— The Chair will state to the gentleman from Illinois, if he proposes to change the amount, that would be in order before the amendment of the gentleman from New York (Mr. Belmont) is passed on. The Chair will ask the gentleman from New York to withhold his amendment for a moment.

Mr. BELMONT.— I shall do so, and offer an amendment to line 79.

The CHAIRMAN.— Does the gentleman withdraw the amendment he heretofore offered?

Mr. BELMONT.— For the present I do. It may come in after the one I now send to the Clerk's desk is disposed of.

The Clerk read Mr. Belmont's amendment, as follows:

On page 4, lines 78 and 79, strike out "$22,000" and insert "$40,000."

(Mr. Hitt addressed the committee in favor of the amendment.)

Mr. BELMONT.— Mr. Chairman, I do not think it necessary for me to add anything to what has been said. In voting this appropriation the House will simply be carrying out the policy hitherto adopted. I ask for a vote.

The amendment was agreed to.

The Clerk read the second amendment of Mr. Belmont — to appropriate $37,145.22 to enable the accounting officers to effect a proper settlement of the accounts of certain consular officers, wherein there were deficiencies.

Mr. BELMONT.— I ask a vote on the amendment.

Mr. BURNES.— Mr. Chairman, I make a point of order on that amendment, and I desire to call the attention of the Chair to the difference between the question here and the questions that have been already passed upon. The Consuls who created these deficiencies created them by withholding from the Treasury of the United States certain sums of money received by them for fees, and which it was their duty under the law to pay into the Treasury. Instead of paying these fees into the Treasury, as required by law, they withheld them under the pretense that it was necessary to use them in their business or in the consular service, and they now owe the Government that amount of money, and this appropriation is asked to cover what seems to me to be legally the defalcation of these Consuls.

(Mr. Hitt renewed his address.)

Mr. BELMONT.— Is the question of order now under discussion?

The CHAIRMAN.— The question of order is pending.

Mr. BELMONT.— Then I desire to say that there is no question of fees involved in this proposition in any manner. As has been well stated by my friend from Illinois, the Deficiency Act of 1884 expressly prohibits Consuls from using their fees for these purposes; and these deficiencies are created by an insufficiency of the allowance for rent, stationery and postage. The allowance for rent is provided for by section 1706, and is at the rate of twenty per cent. on the salaries of such Consuls as receive more than $1,000.

It seems to me that no point of order lies against this proposition, for the simple reason that this committee has already made provision for this purpose for the year 1886. Indeed, my friend from Missouri (Mr. Burnes) himself reported from the Committee on Appropriations the bill now before the committee which required an appropriation of $22,000 for this item for 1886. The amendment which I propose relates to 1884 and 1885. If an appropriation of this kind was in order as to 1886, it is equally in order in regard to these two years.

The CHAIRMAN.—As to the fund out of which these expenses are paid, the Chair has no knowledge, and will, therefore, rule the amendment in order.

The question being taken, the amendment of Mr. Belmont was adopted.

Several paragraphs were considered and passed.

Mr. BELMONT.— I move to insert after the paragraph just read the provision which I send to the desk.

The Clerk read as follows:

To enable the accounting officers, without the payment of any money from the Treasury, to reimburse appropriations for the consular service 1885, the amount of loss on bills of exchange paid from said appropriations, being a deficiency for the fiscal year 1885, $1,387.90.

Mr. BURNES.— I trust my friend from New York (Mr. Belmont) will accept an amendment to his proposition; otherwise we publish to the world what seems to be a fraud on its face. I suggest that the gentleman strike out the words "without the payment of any money from the Treasury." These words relate to the balancing of the accounts, and they show on their face what I do not like the world to see — that we are allowing credit for money which has been withheld. Such a thing does not look well in a public document.

Mr. BELMONT.— I see no objection to the gentleman's suggestion. I will only say that the wording of the amendment was taken from the estimates as they have been before the Committee on Appropriations.

Mr. BURNES.— That is true.

Mr. BELMONT.— I am perfectly willing to accept the gentleman's suggestion.

The amendment, as modified, was agreed to.

* * * * * * *

Mr. BELMONT.—I am obliged to offer this amendment, as it seems an omission in the bill.

The Clerk read as follows:

To meet a deficiency in the salaries of consular officers, not citizens of the United States, for the fiscal year ended June 30, 1886, $4,000.

Mr. BELMONT.— The reason for this amendment is that, by recent changes in these consulates, Vice-Consuls, not citizens of the United States, have been compelled to take charge of the consulates, and it has been discovered that the Secretary of State did not have at his disposal an amount sufficient to meet the requirements of the service.

I ask the communication of the Secretary to be read.

The letter was read.

The question being taken, the amendment was agreed to.

Mr. BELMONT.— I move the following amendment:

Page 7, amend by inserting after line 154, as follows: To meet a deficiency in the salaries of chargés d'affaires *ad interim* for the fiscal year ended June 30, 1886, $8,100.

Mr. BURNES.— I apprehend this is not subject to the point of order, but I ask both sides of the House to vote it down. This is a worthless, soft service, and I do trust that is something this House will vote out of this bill.

Mr. BELMONT.— This is to provide compensation for those officials of the United States who are now at their posts of duty. In the case of Vienna, where we have no representative, the Secretary of Legation is entitled to one-half of the pay of the Minister during the period of vacancy.

But during that period he is entitled to no salary as Secretary. The statute, which I will read, provides (section 1685, Revised Statutes):

For such time as any Secretary of Legation shall be lawfully authorized to act as chargé d'affaires *ad interim* at the post to which he shall have been appointed, he shall be entitled to receive compensation at the rate allowed by law for a chargé d'affaires at such post; but he shall not be entitled to receive for such time the compensation allowed for his services as Secretary of Legation.

In the various changes which have taken place, as I have already explained earlier in this discussion, lately this item has been increased. I do not think it is necessary to take up the time of the committee with the further reading of communications from the department, but I will ask leave to have it printed in connection with the amendment which I have offered.

There was no objection.

Mr. BUTTERWORTH.— I understand this amount to be due?

Mr. BELMONT.— Yes, sir; it is due now; and, further, I will say that there are at the State Department a number of protested drafts —

Mr. BUTTERWORTH.— I did not ask with the hope of influencing the House. They are not in the habit of paying debts that are due.

Mr. BELMONT.— This is due, and I hope the amendment will be adopted. I ask a vote upon it.

After further discussion the question was taken and the amendment was rejected.

After action upon several other paragraphs, the committee rose and the House adjourned.

SPEECH ON THE SURPLUS IN THE TREASURY.

House of Representatives, July 14, 1886.

ON THE JOINT RESOLUTION DIRECTING THE PAYMENT OF THE SURPLUS IN THE TREASURY TO THE PUBLIC DEBT, TO WHICH SEVERAL AMENDMENTS WERE OFFERED,

Mr. BELMONT said:

Mr. Chairman.— The integrity and wisdom with which the affairs of the Treasury Department have been managed during the past sixteen months have contributed largely to the confidence undoubtedly existing throughout the country in President Cleveland's administration. I can not see, therefore, why the House should adopt a resolution withdrawing from that department a discretionary power which has not been abused and which in practice has proved to be absolutely necessary for the proper protection of the credit of the Government — a power to be regulated by commercial laws and requirements, and which can not be safely subjected to political interference.

Protests have often been heard in this House against the power of the national banks. Why, sir, the national banks would be mere pigmies compared to the Treasury Department of the United States as a bank of issue, with both Houses of Congress acting as a board of directors, limiting and controlling its issues and reserves. As a Democrat, looking to the future of the party, I can take no part in promoting any action in this House having such a tendency, and I shall, therefore, vote against the resolution.

A resolution very similar in character was presented for the consideration of the Senate in 1882 by a Republican Senator (Mr. Plumb, of Kansas). It was as follows:

That the Secretary of the Treasury shall use all of the funds now held in the Treasury for the redemption of United States notes in excess of $100,000,000 in the redemption of the bonds of the United States, such redemption to be made in not less than three installments; and the said sum of $100,000,000 so left in the Treasury shall not be increased or diminished except in the redemption of United States notes.

The unwisdom of that resolution seems to have been effectively pointed out at the time. Nor have I heard in the present discussion any answer

to the letter of Secretary Manning of February 13th last, which I will ask to have read:

TREASURY DEPARTMENT,
WASHINGTON, D. C., *February* 13, 1886.

Sir.—I have received a copy of the following proposed resolution respecting surplus revenue, now under consideration in your committee, and upon which you do me the honor to request my opinion:

"Joint resolution directing the payment of the surplus in the Treasury in excess of $100,000,000 on the public debt.

"*Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled,* That whenever the surplus or balance in the Treasury, including amount held for redemption of United States notes, shall exceed the sum of $100,000,000, it shall be and is hereby made the duty of the Secretary of the Treasury to apply such excess, in sums not less than $10,000,000 per month during the existence of any such surplus or excess, to the paying of the interest-bearing indebtedness of the United States, payable at the option of the Government."

The language of this resolution is such as to include in the "surplus or balance in the Treasury" the amount held for redemption of United States notes. There is in no sense a surplus, but is set apart and appropriated as a minimum security and reserve for the redemption and payment of $346,681,016 of United States notes which have been issued, both of which are specifically promised in the Act of March 18, 1869 (R. S., 3693). This reserve, amounting to $100,000,000, should, of course, be held above all possibility of an encroachment like that which my distinguished predecessor, Mr. McCulloch, in his last annual report (page 33), was constrained to exhibit and deplore.

The resolution now before us requires that there should be at no time a surplus in the Treasury available for the general needs of the Government to exceed $10,000,000, and that when this sum is reached it should immediately be paid upon the public debt.

After nearly twelve months' experience in the conduct of this department, and forecasting, as well as I am able, future requirements of the Treasury, as now defined by existing laws, and as they may be affected by legislation yet to come, and considering the course of future receipts, which are liable to influence from any causes, such as the fluctation of imports, the prolonged depression of trade, and the marketing of more or less of our agricultural products abroad, I can not now foresee a state of things which will make it prudent to limit the surplus reserve in the Treasury to a sum ranging from nothing to a maximum of $10,000,000.

The legislation now before Congress relating to pensions will, if perfected, increase the demands upon the Treasury to an amount which it is impossible to exactly estimate; and a late decision of the Supreme Court subjects the Government to the repayment of duties collected, the aggregate of which is large, but altogether indefinite. These things are mentioned to remind the committee that neither the calls upon the Treasury nor the exact time that such demands must be met can be precisely foreseen.

It would seem to follow, as a business proposition, that if the Government is to maintain its credit, in the sense of being prepared to meet all just demands,

which are impossible of ascertainment in advance, there should be a reasonable sum laid by or kept on hand for that purpose.

Respectfully yours,

DANIEL MANNING.

Secretary.

Hon. WILLIAM R. MORRISON,

Chairman, Committee on Ways and Means.

One argument advanced in favor of this resolution is that it will prevent "improvident and wasteful expenditures." That is a meritorious object, but, in my judgment, this is not the proper way to attain it. It is an unwise plan for Congress to reduce the Treasury reserve to the danger point for the purpose of controlling its own expenditures. Another reason assigned for the passage of this resolution is that it will save one or two millions a year in interest.

The fact is that the Treasury Department has quietly and unostentatiously saved more than double that amount during the last fiscal year by the prudence with which it has administered its own affairs. I have received a statement which I shall ask to have appended to my remarks, which shows in detail that, notwithstanding an increase in expenditures for construction and repairs of public buildings of nearly half a million there has still been a net decrease of $4,600,000 in the expenditures of the department for the fiscal year 1886 as compared with 1885. In view of these considerations, I think the country can safely leave to the Treasury the discretionary powers with regard to the reserve fund which it has hitherto wielded with such admirable judgment and prudence.

Comparative Statement of certain expenditures of the Treasury Department for the fiscal years ended June 30, 1885 and 1886.

OBJECT.	1885.	1886.	Increase, 1886.	Decrease, 1886.
Salaries, officers of Treasury Department	$3,055,878 09	$2,921,688 73	.....	$134,189 32
Contingent expenses, Treasury Department	111,084 86	105,779 24	....	5,305 66
Salaries and expenses, independent treasury	456,707 80	435,420 17	.....	21,287 63
Salaries and expenses, mints and assay offices	1,333,768 52	1,135,957 96	....	197,745 56
Salaries and expenses, Internal Revenue Service	4,550,623 21	4,129,293 31	.....	421,329 90
Collecting the revenue from customs and detection of fraud on customs revenue	6,572,543 00	6,448,351 19	....	124,191 81
Repayment to importers	4,703,737 39	3,291,086 13	.....	1,412,651 26
Debentures or drawbacks	8,560,455 43	8,074,429 73	.....	486,025 70
Furniture, and repairs of same, for public buildings	234,873 02	147,687 88	.....	87,185 14
Heating apparatus for public buildings	134,821 07	132,709 40	....	2,112 27
Fuel, light and water for public buildings	535,748 54	508,871 08	....	26,877 46
Repairs and preservation of public buildings	165,120 54	177,085 19	$11,961 55	.....
Construction of public buildings	2,455,174 20	2,868,171 77	412,997 57	.....
Marine-hospital Service	404,638 19	458,154 89	53,516 70	.....
Life-saving Service	859,193 17	870,691 27	11,498 10	.....
Lighthouse establishment	2,284,868 97	2,062,033 46	.....	223,835 51
Coast and Geodetic Survey	557,618 42	518,472 83	.....	29,145 69
Steamboat Inspection Service	275,747 70	260,548 25	.....	15,199 45
Bureau of Engraving and Printing	544,144 31	286,648 73	.....	257,495 58
Interest on the public debt	51,386,256 47	50,580,679 46	.....	805,577 01
Miscellaneous	3,756,955 81	2,924,915 57	.....	832,040 24
Total	$92,959,890 41	$88,358,676 14	$489,976 92	$5,091,191 19
Net increase for 1886				$4,601,214 27

INTEROCEANIC CANAL.

July 16, 1886.

Mr. BELMONT submitted the following privileged report:

The Committee on Foreign Affairs, having had under consideration the following resolution, beg leave to report the same with an amendment in the nature of a substitute, and recommend its adoption:

Resolved, That the President be requested, if not incompatible with the public interests, to furnish the House of Representatives with all correspondence not heretofore made public between the Government of the United States and the Republics of Nicaragua and Costa Rica since 1876, in reference to the location and construction of an interoceanic canal via San Juan river and Like Nicaragua, and relating to the treaty or other rights of the bordering republics.

The resolution, as amended, was adopted.

SPEECH ON INCREASE OF THE NAVAL ESTABLISHMENT.

August 4, 1886.

THE HOUSE HAVING UNDER CONSIDERATION THE BILL (H. R. 6664) TO INCREASE THE NAVAL ESTABLISHMENT —

Mr. BELMONT said:

Mr. Chairman.—Although I shall vote for the substitute, I desire to say that I would gladly have supported the original bill of the Naval Committee had that committee presented it for the consideration of the House. I am earnestly in favor of any measure that will restore to the United States Navy its former efficiency, and, therefore, I shall vote for any proposition which looks toward its reconstruction upon principles sanctioned by modern experience and adapted to our national requirements.

So much has been said about the necessity of a navy as a precaution against war that I will claim the indulgence of the House for a few moments while I briefly recall some of the purposes to which our navy has been and is applied in times of peace.

In the ports of Africa, South and Central America, the East and West Indies and the islands of the Pacific it is absolutely essential for the protection of American commercial interests that our consular and diplomatic representatives should be able, if need be, to give weight to their just demands by the presence in those waters of United States ships of war. The navy, in its present condition, is frequently unable to meet the requisitions made upon it by the State Department for vessels to assist consular officers at remote ports or to investigate occurrences upon which the Government might find it necessary to act. But among recent services of this kind which it has been able to render may be named the visit of the United States war steamer Lancaster to Tangiers, last year, to demand the release of two agents of Mr. William Howland, of New York, improperly held under duress; the visit of the United States war steamer Wachusett to Guayaquil, Ecuador, last year, to investigate the imprisonment of Julio Santos, a naturalized citizen of the United States, since released on the peremptory demand of the State Department; and the protection afforded American missionaries in China in January last by the United States war steamer Marion, at the request of the United States Consul to Ching-Kiang through the Secretary of State.

The presence of United States men-of-war has frequently prevented threatened disturbances, which, unrepressed, might have led to serious results; and the moral influence of the neighborhood of a United States cruiser has been potent in securing justice for American citizens from those who recognize no other argument but a display of force.

The navies of the maritime powers are the police of the high seas, and every civilized nation with an ocean seaboard is in honor bound to furnish its quota for the general good. They act in concert to put down piracy, to maintain inviolate the free navigation of the ocean as the common highway of nations, and to prevent traffic condemned by general consent of civilized powers as against public morals. Some of the past achievements of the American Navy in this regard, in the suppression of the slave trade on the coast of Africa and of the piratical tribute levied by the Barbary powers in the Mediterranean, are among the most noticeable features in our early history.

Vessels of the United States Navy have often served as a refuge for American citizens in countries where war was imminent or actually in progress, and in cases of shipwreck, earthquakes and other calamities. Hundreds of lives were saved by the presence of the American squadron at Alexandria, Egypt, in June and July, 1882. The United States man-of-war Shenandoah rendered valuable service in protecting American interests jeopardized at Mollendo, Peru, in 1885. The United States man-of-war Wachusett protected the American cable in Central America during the same year. Vessels of the United States Navy rendered humane assistance to the sufferers by the terrible earthquakes at Arica and Chios. The United States war steamer Swatara, in March, 1885, was specially dispatched to Guatemala to rescue seventy-eight destitute Americans, and the Lancaster has recently been sent to Madagascar and the Comorro Islands to rescue the crew of the American barque Surprise. The list of humanitarian services performed by our navy for citizens of the United States abroad might be almost indefinitely extended.

The United States, by treaty obligation, is bound to maintain the free transit of the Isthmus of Panama, and has been repeatedly compelled to employ a naval force for this purpose. Whatever may be the outcome of the different plans of crossing the isthmus, it is obvious that the United States, if it desires to carry out the obligations it has solemnly assumed, must maintain a sufficiently strong naval force to sustain the protectorate over the isthmus it has so frequently asserted in Congress and elsewhere.

Our navy has been conspicuously identified with geographic and hydrographic researches, and the results accomplished by its means have been of great advantage to civilization. As to ante-bellum services, I need

only instance the Wilkes exploring expedition of 1839, the John Rodgers exploring expedition of 1853, the Perry expedition to Japan of the same year, and Lieutenant Maury's discoveries as to the currents of the ocean.

In more recent times, we have had effected by the instrumentality of officers of the navy a complete survey of all the transit routes of the American isthmus. The path of commerce has been made easier by the charting of shoals and other dangers to navigation in distant channels and harbors. Deep-sea soundings have advanced scientific knowledge and greatly simplified the work of ocean cable laying; and the chronometers and other navigating instruments of mariners all over the country have been corrected by the observations of our naval officers. The gallant part taken by the navy in the relief of polar explorers is recent history, as is also the valuable aid rendered in many astronomical expeditions.

Our existing navy, of twenty-three commissioned vessels, is divided into five squadrons, employed as follows:

The North Atlantic squadron, consisting of the Tennessee, the Galena, the Swatara, and the Yantic, is at Portland, Me., awaiting orders. This is an obviously proper disposition, in view of the pending fisheries question.

Of the European squadron, the Kearsarge and the Pensacola are at Constantinople, and the Quinnebaug has been lying off Lisbon at the request of our Minister to Portugal and at the suggestion of the State Department.

The Omaha, the Ossipee, and the Alert, of the Asiatic squadron, under orders from the Navy Department, are at Yokohama, Japan, for court-martial purposes; the Marion is at Foo Chow, and the Monocacy at Canton, China, for the protection of American interests, at the request of United States Consuls; the Palos has been detailed to convey our Minister to Corea; and the Trenton is on her way home under orders, touching at several ports to display the flag and to inquire after American interests.

The seven vessels composing the Pacific squadron are stationed as follows: The Hartford and Adams are at Payta, Peru, where it will readily be believed from recent events there is reason for their presence; the Shenandoah is *en route* for San Francisco, stopping at ports in Central America; the Mohican is at Samoa, at the request of the State Department; the Iroquois and the Monongahela are at Callao and Coquimbo, Peru, respectively, looking after American interests; and the Pinta is at Alaska, where it has rendered valuable service to the Territorial Government of that remote possession.

Of the two vessels composing the South Atlantic squadron, the Lancaster is on her return from the east coast of Africa, where she went to

investigate certain matters at the request of the State Department, and the Tallapoosa is off the coast of Brazil.

I am quite certain many will agree with me, Mr. Chairman, that the powers and influence of our navy ought to be greatly extended beyond the limits thus disclosed. The United States Government is so strong in itself and so strong in the policy, from which I trust it will never deviate, of abstaining from interference with other powers, that it is not necessary for it to attempt to keep pace with cumbrous and costly experiments of other nations by the construction of floating fortresses in the disguise of ships. But it is absolutely necessary, not only for the maintenance of our international obligations, but for the protection and development of our commerce, that a serviceable navy of swift-sailing, well-armed cruisers should be established to replace the vessels that are now doing duty in foreign waters as the representatives of the naval power of the United States, and the experimental iron-plated batteries constructed during the war, which, to a large extent, are now unseaworthy.

We are not courting war, Mr. Chairman; we are not expecting it. All that is asked is that the American Navy may be so re-established that it will represent more adequately the power and resources of the nation.

REMARKS ON IMPRISONMENT OF A. K. CUTTING IN MEXICO.

August 4, 1886.

Mr. BELMONT presented for consideration the following resolution from the Committee on Foreign Affairs:

Whereas, A. K. Cutting, an American citizen, is wrongfully deprived of his liberty by Mexican officials at Paso del Norte, in the Republic of Mexico; and

Whereas the Mexican Government refuses to release said Cutting upon the demand of the President of the United States; and

Whereas the Government of Mexico alleges as a reason for its refusal to comply with such demand that said Cutting is guilty of violating a Mexican law upon American soil; and

Whereas the House of Representatives, while appreciating the disposition shown by the Government of Mexico to carry out international obligations, can never assent to the doctrine that citizens of the United States may be prosecuted in a foreign country for acts done wholly upon American soil; therefore,

Be it resolved, First, That the House of Representatives approves of the action of the President of the United States in demanding the release of said A. K. Cutting.

Resolved, Second, That the President of the United States be and he is hereby requested to renew the demand for the release of the said A. K. Cutting.

There was no objection to the consideration of the resolution.

Mr. Belmont being entitled to the floor, yielded ten minutes to Mr. Hitt, of Illinois.

(Mr. Hitt addressed the House.)

Mr. BELMONT.— Mr. Speaker, I am somewhat surprised that my colleague on the committee, who yesterday joined in the report we have made to the House, should to-day change his opinion. And I do not find that the information which he now presents to the House is derived from this record or from the message of the President or the letter of the Secretary of State accompanying it. My friend doubts whether Mexico has refused to accede to the demand of this Government. I can find no better authority than the statement made by the Secretary of State to the President, which forms part of the correspondence laid before the House, accompanying the President's message, and which is printed in full in the Record of this morning. I will read it:

On July 22, 1886, the telegram of Mr. Jackson, Minister at Mexico, dated July 21, 1886, was received here, stating the refusal of the Mexican Government to

accede to the telegraphic demand of the undersigned for Cutting's release, the substance of which telegram is appended. On the same day a summary of the reasons for so declining was asked for by telegraph, and on the same night a reply from Mr. Jackson was received, giving a summary of the Mexican reasons. The substance of this telegraphic summary is annexed, and the full text of Mr. Mariscal's refusal is found among the accompaniments to a later dispatch from Mr. Jackson — No. 272, of July 22, 1886.

On July 26, 1886, Consul Brigham telegraphed to this department that the Governor of Chihuahua was pushing the trial of Cutting, who ignored the proceedings; copy of which telegram is appended.

On July 27, 1886, the instruction of the undersigned, numbered 228, was mailed to Mr. Jackson; copy thereof is annexed.

The last communication from Minister Jackson on the subject being his dispatch No. 272, of July 22, 1886, hereinbefore referred to, was received at this department on the 31st ultimo. It conveyed the text of the correspondence had by him with the Mexican Secretary of Foreign Affairs, in which Cutting's release was demanded and refused.

Mr. HITT.— In the correspondence you will find it was not refused.

Mr. BELMONT.— On the contrary, it is very clearly shown that it was refused, and so it appeared to my colleague when yesterday he joined with the rest of the committee in its report. In reaching his conclusion yesterday my friend had also before him the statute under which the Government of Mexico claims the right to arrest and punish this American citizen. That statute is laid before us in the correspondence.

This is simply a question of jurisdiction. The gist of the whole matter is, whether we can afford to recognize the contention of Mexico in setting up one of its federal statutes as a ground for claiming jurisdiction over an alleged offense committed by an American citizen within the territory of the United States. My colleague on the committee had before him the statute yesterday and agreed with the committee it was proper that a resolution should be passed declaring that this Government could not assent to such a doctrine. I have failed to discover from any statement he has since made a reason for his change of opinion, unless it be the reports circulated in the newspapers.

Mr. HITT.— The gentleman will not misrepresent me.

Mr. BELMONT.— I do not desire in the slightest to misrepresent the gentleman.

Mr. HITT.— Let me say that I did assent to the report, understanding that this law was claimed by the Mexican Government to be its reason and support for refusing the demand of the United States, and that under it they held Mr. Cutting; whereas I read in the correspondence that this law is simply handed by the Mexican Minister to us as explaining the action of the court over which they have no control, nor of the State where the court is sitting.

Mr. HISCOCK.— Let me ask the gentleman from New York a question.

Mr. BELMONT.— I will answer my colleague as soon as I have answered the gentleman from Illinois on this point. That this article 186 of the Mexican Code is clearly in contention appears in the communication of the Secretary of State, which is as follows:

A copy of article 186 of the Mexican Code, which was handed to the undersigned by Mr. Romero in support of the claim of Mexico to take cognizance of crimes of which Mexicans were the subject in foreign countries, is herewith appended. This conflict of laws is even more profound than the literal difference of corresponding statutes, for it affects the underlying principles of security to personal liberty and freedom of speech or expression, which are among the main objects sought to be secured by our framework of government. The present case may constitute a precedent, fraught with the most serious results.

The House will at once perceive when this statute is read why the question has assumed so great an importance.

Mr. HISCOCK.— I would like to ask a question of my colleague.

Mr. BELMONT.— I will first ask to have the statute read.

Mr. WARNER, of Ohio.— Let me ask if the President has sent to Congress a message on this subject.

Mr. BELMONT.—Yes; and the President has transmitted to the House the whole correspondence which has taken place up to this time. I will ask the Clerk to read the passage I have marked.

The Clerk read as follows:

ARTICLE 186 OF THE MEXICAN PENAL CODE.

Any crimes that may be committed on the territory of a foreign State by a Mexican against Mexicans or against foreigners, or by a foreigner against Mexicans, may be punished in Mexico, in conformity with the laws of the country, under the following provisions:

I. That the accused party should be in Mexico, whether of his own free will or by having been extradited.

II. That a proper complaint should be made by the legitimate party in case the guilty person should be a foreigner.

III. That the accused party should not have been tried in the country where the crime was committed, or, in case he has been tried, that no acquittal, amnesty or pardon should have been pronounced in the matter.

IV. That the violation of which he may be accused should be considered a crime both in the country where it was committed and in Mexico.

V. That the crime should be liable, in accordance with the laws of Mexico, to a more severe punishment than that of arrest.

Mr. BELMONT.— The House will have observed that this distinctly claims an extra-territorial jurisdiction. In other words, that the offense

of which Cutting was guilty, an offense committed within the borders of the United States, is, according to this law, to be punished by Mexico in Mexico.

May I ask how much time I have remaining?

The SPEAKER.— The gentleman has consumed and yielded in all seventeen minutes.

Mr. WARNER, of Ohio.— I would like to ask the gentleman, if the President has sent a message to the House, that he will have it read in his time.

Mr. LANHAM.— The message is exceedingly brief.

Mr. WARNER, of Ohio.— I take it that upon a subject of so much importance, if the President deems it necessary for Congress to take action, he would send a letter of advice or recommendation.

Mr. GOFF.— It is only a letter of transmittal.

The SPEAKER.— The message of the President simply transmits the correspondence.

Mr. WARNER, of Ohio.— In response to the House inquiry?

The SPEAKER.— Yes.

Mr. WARNER, of Ohio.— Then, as I understand it, the President has sent no communication asking for action in this matter; nor has the Secretary of State.

Mr. BELMONT.— The correspondence and the letter undoubtedly suggest such action as the committee recommends. It is now within a few minutes of the hour of adjournment under the rule, and I will yield to the gentleman from Illinois, who desires to submit a motion for a recess.

Mr. HISCOCK.— The gentleman stated that he would allow me to make an inquiry. I desire to know whether the Secretary of State wishes any interference on the part of Congress?

Mr. MORRISON.— I move that the House take a recess until 10 o'clock to-morrow.

Mr. KING.— I object.

The SPEAKER.— The gentleman submits a motion.

The question was taken, and, no quorum voting, the motion was not agreed to. Thereupon the House adjourned.

FORTY-NINTH CONGRESS—SECOND SESSION.

December, 1886, to March, 1887.

TARIFF ON FISH.

NONINTERCOURSE WITH CANADA.

December 7, 1886.

Mr. BELMONT submitted the following resolution, which was referred to the Committee on Foreign Affairs:

Resolved, That the Secretary of the Treasury be requested to inform this House what interpretation is now given by the Treasury Department to the Tariff Law of 1883, which, in one section, declares that "fish, fresh, for immediate consumption," shall be free of tax on arrival at our seaports or lakeports, and in another section declares that "foreign-caught fish, imported fresh, shall be taxed at the rate of fifty cents for each hundred pounds;" and also to transmit to the House copies of all official correspondence, opinions and decisions bearing on the subject, together with a statement of the duties collected each year since 1865 on the several descriptions of fish caught in the lakes or the Canadian tributaries thereof; and also on the several descriptions caught in the North Atlantic or on the shores of the islands thereof.

December 14, 1886.

The above resolution was reported back favorably by the committee and adopted by the House. The Secretary of the Treasury replied January 10, 1887 (Ex. Doc. No. 78).

December 17, 1886.

Mr. BELMONT introduced the following:

BILL for the appointment of a commission to investigate concerning losses and injuries inflicted since December thirty-first, eighteen hundred and eighty-five, on United States citizens engaged in the North American fisheries.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President be and is hereby authorized to appoint a commissioner to proceed to such places in the United States or else-

where as may be designated by the Secretary of State, to take testimony, under oath or affirmation, in relation to the losses and injuries inflicted since the thirty-first of December, eighteen hundred and eighty-five, by British authorities, imperial or colonial, upon citizens of the United States engaged in the fisheries on the northeast coast of British North America. Said commissioner shall everywhere have, in respect to the administration of oaths or affirmations and the taking of testimony, the same powers as a commissioner of a Circuit Court, and shall be paid the same fees as are prescribed for similar services of a commissioner of a Circuit Court, together with traveling expenses.

NORTH AMERICAN FISHERIES.

[NONINTERCOURSE WITH CANADA.]

January 18, 1887.

MR. BELMONT SUBMITTED THE FOLLOWING REPORT, FROM THE COMMITTEE ON FOREIGN AFFAIRS, TO WHICH WERE REFERRED THE PRESIDENT'S MESSAGE OF DECEMBER 8, 1886 (EX. DOC. NO. 19), AND THE REPLY OF THE SECRETARY OF THE TREASURY, ON JANUARY 10, 1887 (EX. DOC. NO. 78), TO THE RESOLUTION OF THE HOUSE ADOPTED ON DECEMBER 14, 1886, AND HOUSE BILL 10241:

Your committee has not only given to those communications the very careful consideration which they deserve, but, during the last session of the House, made diligent inquiry into the whole subject of American fisheries. They were attended in the committee room by, among others, William Henry Trescot, Esq., and Charles Levi Woodbury, Esq., of Boston. Mr. Woodbury represented all, or a large majority of, New England owners of fishing vessels, and both of the gentlemen favored your committee with valuable opinions on different phases of the important subject under consideration.

Your committee is of the opinion that the rightful area of our "American fisheries" has been reduced, and the quantity of fish — fresh, dried, cured or salted — landed in the United States free of duty has been diminished, by the conduct of local officers in Canada. That conduct has been not only in violation of treaty stipulations and of international comity, but during the fishing season just passed has been inhuman, as the message of the President clearly establishes.

THE TREATY OF 1783.

The treaty of peace defined, in 1783, the area of American fisheries which might in that portion of the world be prosecuted by American vessels. Its third article declares:

ARTICLE III.

It is agreed that the people of the United States shall *continue* to enjoy unmolested *the* right —

(1) To *take* fish of every kind on the Grand Bank and all other banks of Newfoundland;

(2) Also in the Gulf of Saint Lawrence;

(3) And at all other places. *in the sea,* where the inhabitants of both countries used at any time heretofore to fish. And also that the inhabitants of the United States shall have LIBERTY —

(1) To *take* fish of every kind on such part of the *coast* of Newfoundland as British fishermen shall use (but not to dry or cure the same on that island);

(2) And also on the coasts, bays and creeks of *all* other of His Britannic Majesty's dominions in America.

(3) And that the American fishermen shall have liberty to *dry* and *cure* fish in any of the unsettled bays, harbors and creeks of Nova Scotia, Magdalen Islands and Labrador, so long as the same shall remain unsettled; but so soon as the same, or either of them, shall be settled, it shall not be lawful for the said fishermen to *dry* or *cure* fish at such settlement without a previous agreement for that purpose with the inhabitants, proprietors or possessors of the ground.

When that treaty of peace was signed, the British Navigation Act of Charles II and other laws prevented trade in foreign vessels with the Anglo-American colonies. The corner-stone of that policy was a monopoly of colonial trade for British vessels. The American colonies were founded in subservience to British commerce. A double monopoly was established in England — a monopoly of their whole import, which is all to be from England; a monopoly of their whole export, which is to be sent nowhere but to Great Britain. The colonies were to send all their products raw to England, and take everything from England in the last stage of manufacture. The treaty of peace did not stipulate for a change of that policy as between the United States and Canada, although the American Congress did, in April, 1776, sweep away, so far as it could, that monopoly system from the ports it controlled, abolish British custom-houses and put none in their stead, proclaim absolute free trade in the place of heavy restrictions, invite products from any place to come in friendly vessels, and authorize American products to be exported without tax.

After the thirteen States had acquired their independence, American vessels were not only excluded from the ports of the British colonies, but Canada, as a reward for its loyalty, received the exclusive privilege of supplying the British West Indies with timber and provisions, to the great injury of the latter, whose nearest ports were the American Gulf ports and South American ports.

It will be observed that this article, in continuing, confirming and establishing the thirteen States and their inhabitants in the taking of fish on the banks, in the gulf, and in the sea, uses the word "*rights,*" but uses the word "*liberty*" in confirming to American fishermen the

taking of fish on the coasts, bays and creeks of every part of the British dominions in America. The word "*rights*" is thus applied to fishing in the open sea, which by public law is common to all nations, and was intended to affirm that Great Britain did not claim to hold by treaty engagements, or in any other manner, an exclusive right of fishing therein. The word "*liberty*" is thus applied to taking fish, to drying and curing fish, on what was, anterior to the treaty, within the jurisdiction, or territorial waters, of Great Britain, but an exclusive right of taking fish therein was not hers. "*Liberty*," as thus used, implies a freedom from restraint or interference in fishing along the British coasts.

Canada, having been, by the aid of men of the New England colonies, conquered for the English in 1759, the conquest having been confirmed in 1763 by the treaty of Paris, and the sovereignty of Newfoundland having been conceded to Great Britain by the peace of Utrecht in 1713, the American colonists, who bravely endured sacrifices in war to accomplish those results, shared therein, as British subjects, down to 1783, when, by treaty, England stipulated that the citizens of the "free, sovereign and independent States" of America shall *continue* to share, and share alike, with British subjects in such coast fishing. Lord North having in 1775 proposed to the House of Commons to exclude the fishermen of New England from the Banks of Newfoundland, and to restrain them from a toil in which they excelled the world, the joint right to the fisheries became a vital part of the great American struggle. "God and nature," said Johnston, "have given that fishery to *New* England, and not to *Old*." Americans, Britons and British Canadians became by the treaty partners in the fisheries. It created a "servitude of public law" in favor of American fishermen. ALL British "coasts, bays and creeks" in America were thereby, as Secretary Manning so aptly says, made a part of our "American fisheries," to which our Tariff Laws, thereafter enacted, referred and attached, and so made the products thereof exempt from duty on entry at our ports.

THE TREATY OF GHENT.

Thus stood American rights and liberties of fishing on the high seas, and within the limits of British dominion in North America, down to the war of 1812, and to the treaty of peace negotiated at Ghent, which closed that war. Till then it was nowhere denied that American fishermen could fish on the high seas and on those coasts whereever British fishermen could fish. But during the negotiations at Ghent, in 1814, the British negotiators declared that their Government "did not intend to grant to the United States gratuitously the privileges formerly granted

by treaty to them of *fishing* within the limits of the British sovereignty and of using the shores of the British territories for purposes connected with the British fisheries." In answer to this declaration the American negotiators said they were "not authorized to bring into discussion any of the rights or liberties which the United States have heretofore enjoyed in relation thereto."

England contended that the word "*right*" in the treaty of 1783 was used as applicable to what the United States were to enjoy in virtue of a recognized independence, and the word "*liberty*" to what they were to enjoy as concessions strictly dependent on the existence of the treaty in full force, which concessions fell, as England asserted, on the declaration of war by the United States, and would not be revived excepting for an equivalent.

In the alarming condition of affairs, at home and abroad, in the autumn of 1814, our Government did finally authorize our negotiators at Ghent to agree to the *status quo ante bellum* as the basis of negotiation, provided only that our national independence was preserved. (See introductory notes by Hon. J. C. Bancroft Davis to "Treaties and Conventions," published by the Department of State in 1873, page 1021.) The treaty was signed on December 24, 1814. How different might have been its terms had there been procrastination till the news came of General Jackson's brilliant victory at New Orleans only fifteen days afterward, or till the escape of Napoleon from Elba only two months later.

THE TREATY OF 1818.

Within a short time after the close of the year 1814 England announced her purpose to exclude American fishermen from the "*liberty*" of fishing within one marine league of her shores in North America, and of drying and curing fish on the unsettled parts of those territories.

The announcement led up to the treaty of 1818, whereby the "*liberty*" conceded in 1783 to belong to American fishermen was confined within narrower limits, and the area of American fisheries was greatly reduced as well as the quantity of American-caught fish arriving exempt from taxation at our ports. That treaty of 1818, and the misunderstanding under it, led up to the Marcy-Elgin reciprocity treaty of 1854, terminated in 1866, which covered by a new stipulation a part of the stipulations contained in the treaty of 1818. Your committee do not now express an opinion whether or not the termination of the reciprocity treaty of 1854 revived the superseded and dead stipulation of the convention of 1818, contained in its renunciation sentences, which are the last sentences of

the first article, for which stipulation in the treaty of 1818 a new and positive stipulation was substituted and inserted in the treaty of 1854, which last-named treaty might, in accordance with its terms, have been in force indefinitely.

The first article of the treaty of 1818, which has been the cause of such unnumbered international differences and disputes, is in these words:

Whereas, Differences have arisen respecting the *liberty* claimed by the United States, for the inhabitants thereof, to take, dry and cure fish on certain *coasts, bays, harbors and creeks* of His Britannic Majesty's dominions in America, it is agreed between the high contracting parties that the inhabitants of the said United States shall have, forever, in common with the subjects of His Britannic Majesty, the liberty to take fish of every kind —

1. On that part of the southern coast of Newfoundland which extends from Cape Ray to the Rameau Islands, on the western and northern coasts of Newfoundland, from the said Cape Ray to the Quirpon Islands;

2. *On the shores of the* Magdalen Islands;

3. And also on the coasts, bays, harbors and creeks from Mount Joly, on the southern coast of Labrador, to and through the Straits of Belle Isle, and thence northwardly indefinitely along the coast, without prejudice, however, to any of the exclusive rights of the Hudson's Bay Company.

And that the American fishermen shall also have liberty forever *to dry and cure fish* in any of the unsettled bays, harbors and creeks of the southern part of the coast of Newfoundland, hereabove described, and of the coast of Labrador; but so soon as the same, or any portion thereof, shall be settled, it shall not be lawful for the said fishermen to dry or cure fish at such portion so settled without previous agreement for such purpose with the inhabitants, proprietors or possessors of the ground.

And the United States hereby renounce forever any *liberty* heretofore enjoyed or claimed by the inhabitants thereof to take, dry or cure fish on or within three marine miles of any of the coasts, bays, creeks or harbors of His Britannic Majesty's dominions in America *not included within the above-mentioned limits:*

Provided, however, That the *American fishermen* shall be permitted to enter such bays or harbors (1) for the purpose of shelter and (2) of repairing damages therein; of (3) purchasing wood and (4) of obtaining water, and for no other purpose whatever. But they shall be under such restrictions as may be necessary to prevent their taking, drying or curing fish therein, or in any other manner whatever abusing the privileges hereby reserved to them.

That article does not allude to, or attempt to interfere with, our rights in the open sea, on the banks, or in the Gulf, which were confirmed by the concession of the independence of the thirteen States. It refers only to the liberty claimed and recognized by the treaty of 1783, "on certain coasts, bays, harbors and creeks." It begins by a recital that differences have arisen respecting the "liberty" claimed by American fishermen *in those places.* It neither mentions nor alludes to any differences about fishing on the high seas. It stipulates that American fisher-

men may fish on certain specified coasts, bays, harbors, creeks and shores, and may dry and cure fish in certain unsettled bays, harbors and creeks, and especially dry and cure on the coasts of Newfoundland, which last the treaty of 1783 did not embrace. The United States "renounces" any "liberty" to take, dry or cure fish within three miles of any other coasts, bays, creeks or harbors than those specified in the article, but the sentence of renunciation contains a stipulation that the American fishermen may enter "*such* bays or harbors" for four specified purposes, "and for no other purpose whatever," under such restrictions as may be *necessary* to prevent fishing, drying or curing "*therein*."

Unless English words were in 1818 used in that article in an unusual sense, there is not a sentence or word therein that has reference to anything else than taking, drying or curing fish, by American fishermen, on or within certain coasts, bays, creeks or harbors therein described. No word or phrase mentioned alludes or refers to deep-sea fishing or ordinary commercial privileges. The restrictions refer only to fishing, or drying, or curing "in such bays or harbors."

It is to be assumed that when this treaty of 1818 was signed, the British statutes of Charles II, in restraint of navigation, the rudiments of which are to be seen in 1650, and were aimed at Dutch trade with British sugar colonies, were, on the English side, rigorously enforced, so that no merchandise could be lawfully imported into Canadian ports excepting in English bottoms. The treaty of 1818 was concluded on October 20th of that year, but ratifications were not exchanged till January 30, 1819. Certainly on our side there was then in force legislative restriction on navigation almost as severe as was the English enactment after the restoration of Charles II. America had not then emerged from the era of the embargo, Berlin and Milan decrees, and the influences of the war of 1812. On April 18, 1818, the President approved a law closing our ports after September 30, 1818, against British vessels coming from a colony which, by the ordinary laws, is closed against American vessels. Touching at a port open to American vessels could not modify the restriction. Vessels and cargoes entering, or attempting to enter, in violation of the law were forfeitable. And any English vessel that could lawfully enter our ports was compelled to give a bond, if laden outward with American products, not to land them in a British colony or territory from which American vessels were excluded. The presumption is that, quite independently of fishing rights and liberties, no American vessel was for long before and after 1818 permitted by English law to touch and trade in Canadian ports. How that system of exclusion was gradu-

ally broken down, not by treaty, but by concerted legislation, the Secretary of State and the Secretary of the Treasury have clearly exhibited in the communications referred to your committee.

Not till 1822 were American wheat and lumber permitted to go directly from American ports to the British West Indies and be entered there. In 1843 Canada was allowed to import American wheat, and then send it through the Saint Lawrence to the English market, as native produce — an indirect open blow at the English corn laws. Canadian trade entered upon another stage of prosperity in 1846, when the restrictive navigation laws of England were again relaxed for her benefit, and in 1850, when Canada was quite relieved from the injurious influences of those laws; but yet Canada, at this late day, endeavors to return to those obsolete and condemned restraints on trade by excluding deep-sea American fishermen from her ports.

That a sovereign State has exclusive jurisdiction in its own territory, and over its own vessels on the high seas, is nowhere denied. Mr. Fish announced, as Secretary of State, in 1875, "we have always understood and asserted that, pursuant to public law, no nation can rightfully claim jurisdiction at sea beyond a marine league from the coast." No nation has asserted, independently of a treaty, an exclusive dominion over the sea surrounding its coast applicable to the *passing* ships of other nations. Why should a vessel which, under stress of weather or necessities of navigation, casts anchor for a few hours in a bay be subjected to a larger or fuller jurisdiction than a passing vessel, provided in-shore fisheries are not thereby poached upon, or the revenue evaded, or safe navigation endangered, or crime attempted or committed? Why need a powerful State take any cognizance of such innocent and casual presence of a little body of foreign seamen? The treaties which have been made applicable thereto refer to neutrality in war and the exclusive right of fishing, thereby proving the general rule. There is no doubt a well-founded claim, based on *usage*, over an exclusive dominion of *some* narrow zone of the sea for *some* purposes, but those purposes are carefully restricted, among other things, to navigation, rules of the road, lighthouses, quarantine, pilotage, anchorage, revenue or local fisheries. By the treaties of 1783 and 1818 there is a zone of the Canadian and Newfoundland coasts open and free to American fishermen.

That dispute was settled, and a new contract entered into by the reciprocity treaty of 1854, which stipulated:

Article 1. It is agreed by the high contracting parties that, *in addition to the liberty secured to the United States fishermen by the above-mentioned convention of*

October 20, 1818, of taking, curing and drying fish on certain coasts of British North American colonies therein defined, the inhabitants of the United States shall have, in common with the subjects of Her Britannic Majesty, the liberty to take fish of every kind, except shellfish, on the seacoasts and shores, and in the bays, harbors and creeks of Canada, New Brunswick, Nova Scotia, Prince Edward Island, and of the several islands thereunto adjacent (and, by another article, Newfoundland), without being restricted to any distance from shore, with permission to land upon the coasts and shores of those colonies and the islands thereof, and also upon the Magdalen Islands, for the purpose of drying their nets and curing their fish; provided that, in so doing, they do not interfere with the rights of private property, or with British fishermen in the peaceable use of any part of the same coast in their occupancy for the same purpose. It is understood that the above-mentioned liberty applies solely to the sea fishery, and that the salmon and shad fisheries and all fisheries in rivers and the mouths of rivers are hereby reserved exclusively for British fishermen.

Similar provision was made in article II, with like exception, for the admission of British subjects to take fish on a part of the seacoasts and shores of the United States.

The United States purchased the fishery provisions of this treaty, and exemption from certain restrictions in the treaty of 1818, by stipulations that certain enumerated articles of the growth and produce of the British colonies of Canada, New Brunswick, Nova Scotia, Prince Edward Island, and Newfoundland should be admitted at our ports free of duty.

They were the incidents of a larger question, namely, the terms of commercial intercourse between the United States and the British colonies in North America.

It is not contended anywhere, by anybody, that the stipulations in the treaty of peace of 1783, by which the sovereignty and independence of the thirteen States were acknowledged, their boundaries fixed, their right established to navigate the high seas and to fish therein, fell by the war of 1812. Nor is it pretended that the war of 1812 grew out of the exercise of fishing rights under the treaty of 1783, so as that whatever stipulations therein were intended to be permanent, to bind during war, and to survive war, were extinguished by the war. Even if it be conceded that the "liberty to Americans," in the treaty of 1783, to catch or cure and dry fish on the coast of Newfoundland, and "on the coasts, bays and creeks of all other of Her Britannic Majesty's dominions in America," could, on a declaration of war by the United States, have been annulled by England, they were not at any time expressly annulled. If they could have been suspended by the will of England, they were not expressly suspended. If they were suspended by the fact of war, if they were like temporary commercial engagements, or like postal treaties, there was nothing in the facts of the war of 1812 to prevent

them from recommencing their operations automatically with the peace. Nothing in the relations of the two Governments was inconsistent with their survival. Mr. Dana, in his note on Wheaton (page 353), has stated the rule thus:

> If a war arises from a cause independent of the treaty, the survival of any clause in the treaty must depend upon its nature and the circumstances under which it was made.

The question of amendment or survival of the treaty of 1783, as to certain specified parts of the British coast in America, was, however, by the treaty of 1818, made of no practical consequence (so long as that treaty endured) by the renuciation signed by the United States.

THE CANADIAN CONTENTION.

The legal effect of the first article of the treaty of 1818 may be sketched in outline in this wise:

All the British coast, shores, bays, harbors and creeks in America were, by that article, separated into two portions, which were bounded, defined and identified. The two may be marked, respectively, as A and B. In the sixth volume of "*Papers Relating to the Treaty of Washington*," published by the Department of State in 1874, is a map of New Brunswick, Nova Scotia, Newfoundland and Prince Edward Island, colored in a way to plainly exhibit these two portions. In all that portion marked A it was agreed that the inhabitants of the United States shall have forever, in common with British subjects, the *liberty* to take fish of every kind; but as to the portion marked B, the United States renounced forever any liberty theretofore enjoyed or claimed to take, dry or cure any fish. It was stipulated, nevertheless, that "the American fishermen shall be permitted to enter" the portion marked B for the purpose of shelter, repairing damages, purchasing wood, obtaining water, and "for no other purpose whatever."

The entire article referred to inshore *fishing*. No right, and no liberty whatever, that might concern deep-sea fishermen, did the United States, by the treaty of 1818, renounce.

This obvious intent and purpose of the article is confirmed by the last words of the section, which declares: "But they" (the American fishermen) "shall be under such restrictions as may be necessary to prevent their taking, drying or curing fish therein" (in portion B) "or in any other manner abusing the privileges hereby reserved to them." The "restrictions" to be imposed upon the American fishermen, while in

portion B, are expressly limited, not to such as concern navigation or revenue, but to such as were specifically renounced, namely, to such as "may be *necessary* to prevent their taking, drying or curing fish therein, or in any other manner whatever abusing the privileges hereby reserved to them" *in order to take, dry or cure fish therein.*

Was it not clearly the intention of the negotiators of this treaty that the character of these restrictions should be agreed upon by the parties to the treaty? Is it reasonable to assume that the American negotiators intended that the Canadian provinces, or even the British Government, should have the exclusive power to prescribe "restrictions" which might entirely destroy the value of any unrenounced right and liberty theretofore claimed and enjoyed, or of any conceded "privileges" thereby reserved to American fishermen in portion B?

These preliminary explanations will assist to measure the force and bearing upon American deep-sea fishermen of the interpretation put upon the treaty by the Canadian Dominion during the last summer.

The following extracts are taken from the message of the President to Congress of the 8th ultimo.

WHAT CANADA HAS SAID.

On June 5, 1886, the Canadian Minister of Marine and Fisheries declared:

It appears the Jennie and Julia is a vessel of about fourteen tons register; that she was to all intents and purposes a fishing vessel, and, at the time of her entry into the port of Digby, had fishing gear and apparatus on board, and that the Collector fully satisfied himself of these facts. According to the master's declaration, she was there to purchase fresh herring only, and wished to get them direct from the weir fishermen. The Collector, upon his conviction that she was a fishing vessel, *and, as such, debarred by the treaty of* 1818 *from entering Canadian ports for the purposes of trade,* therefore, in the exercise of his plain duty, warned her off.

The treaty of 1818 is explicit in its terms, and by it United States fishing vessels are allowed to enter Canadian ports for shelter, repairs, wood and water, and "for no other purpose whatever."

The undersigned is of the opinion that it can not be successfully contended that a *bona fide* fishing vessel can, by simply declaring her intention of purchasing fresh fish for other than baiting purposes, evade the provisions of the treaty of 1818, and obtain privileges not contemplated thereby. If that were admitted, the provision of the treaty which excludes United States fishing vessels for all purposes but the four above mentioned would be rendered null and void, and the whole United States fishing fleet be at once lifted out of the category of fishing vessels, and allowed the free use of Canadian ports for baiting, obtaining supplies and transshipping cargoes.

It appears to the undersigned that the question as to whether a vessel is a fishing vessel or a legitimate trader or merchant vessel is one of fact, and to be decided by the character of the vessel and the nature of her outfit, and that the class to which she belongs is not to be determined by the simple declaration of her master that he is not at any given time acting in the character of a fisherman.

At the same time the undersigned begs again to observe that Canada has no desire to interrupt the long-established and legitimate commercial intercourse with the United States, but rather to encourage and maintain it, and that Canadian ports are at present open to the whole merchant navy of the United States on the same liberal conditions as heretofore accorded.

On June 7, 1886, the Canadian Governor-General advised the Minister of Foreign Affairs at London:

No attempt has been made either by the authorities intrusted with the enforcement of the existing law or by the Parliament of the Dominion to interfere with vessels engaged in *bona fide* commercial transactions upon the coast of the Dominion. The two vessels which have been seized are both of them beyond all question fishing vessels, and not traders, and, therefore, liable, subject to the finding of the courts, to any penalties imposed by law for the enforcement of the convention of 1818 on parties violating the terms of that convention.

On June 14, 1886, a committee of the Privy Council for Canada put forth the following opinions and conclusions, which were approved by the Governor-General:

It is not, however, the case that the convention of 1818 affected only the inshore fisheries of the British provinces; it was framed with the object of affording a complete and exclusive definition of the rights and liberties which the fishermen of the United States were thenceforward to enjoy in following their vocation, so far as those rights could be affected by facilities for access to the shores or waters of the British provinces, or for intercourse with their people. It is, therefore, no undue expansion of the scope of that convention to interpret strictly those of its provisions by which such access is denied, except to vessels requiring it for the purposes specifically described.

Such an undue expansion would, upon the other hand, certainly take place if, under cover of its provisions or of any agreement relating to general commercial intercourse which may have since been made, permission were accorded to United States fishermen to resort habitually to the harbors of the Dominion, not for the sake of seeking safety for their vessels or of avoiding risk to human life, but in order to use those harbors as a general base of operations from which to prosecute and organize with greater advantage to themselves the industry in which they are engaged.

It was in order to guard against such an abuse of the provisions of the treaty that amongst them was included the stipulation that not only should the inshore fisheries be reserved to British fishermen, but that the United States should renounce the right of their fishermen to enter the bays or harbors, excepting for the four specified purposes, which do not include the purchase of bait or other appliances, whether intended for the deep-sea fisheries or not.

The undersigned, therefore, can not concur in Mr. Bayard's contention that "to prevent the purchase of bait, or any other supply needed for deep-sea fishing, would be to expand the convention to objects wholly beyond the purview, scope and intent of the treaty, and to give to it an effect never contemplated."

Mr. Bayard suggests that the possession by a fishing vessel of a permit to "touch and trade" should give to her a right to enter Canadian ports for other than the purposes named in the treaty, or, in other words, should give her perfect immunity from its provisions. This would amount to a practical repeal of the treaty, because it would enable a United States Collector of Customs, by issuing a license originally only intended for purposes of domestic customs regulation, to give exemption from the treaty to every United States fishing vessel. The observation that similar vessels under the British flag have the right to enter the ports of the United States for the purchase of supplies loses its force when it is remembered that the convention of 1818 contained no restriction on British vessels and no renunciation of any privileges in regard to them.

On August 14, 1886, the Minister of Marine and Fisheries said:

There seems no doubt, therefore, that the Novelty was in character and in purpose a fishing vessel, and as such comes under the provisions of the treaty of 1818, which allows United States fishing vessels to enter Canadian ports "for the purpose of shelter and repairing damages therein, and of purchasing wood and of obtaining water, and for no other purpose whatever."

The object of the captain was to obtain supplies for the prosecution of his fishing, and to transship his cargoes of fish at a Canadian port, both of which are contrary to the letter and spirit of the convention of 1818.

On October 30, 1886, a committee of the Canadian Privy Council contended, and the administrator of the Government in council upheld the contention —

That the convention of 1818, while it grants to United States fishermen the right of fishing in common with British subjects on the shores of the Magdalen Islands, does not confer upon them privileges of trading or of shipping men, and it was against possible acts of the latter kind, and not against fishing inshore, or seeking the rights of hospitality guaranteed under the treaty, that Captain Vachem (McEachern) was warned by the Collector.

On November 24, 1886, a committee of the Canadian Privy Council declared, and the Governor-General approved the declaration:

The Minister of Marine and Fisheries, to whom said dispatch was referred for early report, states that any foreign vessel, "not manned nor equipped, nor in any way prepared for taking fish," has full liberty of commercial intercourse in Canadian ports upon the same conditions as are applicable to regularly-registered foreign merchant vessels; nor is any restriction imposed upon any foreign vessels *dealing* in fish of any kind different from those imposed upon foreign merchant vessels dealing in other commercial commodities.

That the regulations under which foreign vessels may *trade* at Canadian ports are contained in the Customs Laws of Canada (a copy of which is herewith), and which render it necessary, among other things, that upon arrival at any Canadian port a vessel must at once enter inward at the custom-house, and upon the completion of her loading, clear outward for her port of destination.

AMERICAN FISHERMEN ARE NOT OUTCASTS.

The foregoing contention, set up not merely by the Canadian Privy Council, but by the Governor-General of the Dominion of Canada, sweeps into the meshes of Canadian legislation to enforce the first article of the treaty of 1818, every deep-sea fisherman, in his relation to Canadian ports, no matter on what sea or ocean, Atlantic or Pacific, he may have pursued, or may intend to pursue, his industry. That contention places all American deep-sea fishermen entitled to wear the flag of the Union at the masthead of their boats or vessels, be they little or big, under much the same ban in respect to the hospitality of Canadian ports as they would be if pirates, or slave traders, or filibusters, or other enemies of the human race. "She was a *fishing vessel*," says, on June 5, 1886, the Canadian Minister of Marine and Fisheries, and, therefore, "debarred by the treaty of 1818 from entering Canada for the purposes of trade." "The two vessels which have been seized are, both of them, beyond all question *fishing vessels*, and not traders," says the Governor-General of the Dominion of Canada to Lord Granville on June 7, 1886, "and, therefore, liable, subject to the finding of the courts, to any penalties imposed by law for the enforcement of the convention of 1818." "We can not concur in Mr. Bayard's contention," said the Canadian Privy Council, on June 14, 1886, that "to prevent the purchase of bait or any other supply needed for deep-sea fishing, would be to expand the convention to objects wholly beyond the purview, scope and intent of the treaty, and give to it an effect never contemplated." "American deep-sea fishermen can not," said the Canadian Minister of Marine and Fisheries, on October 14, 1886, "obtain supplies for the prosecution of his fishing, and to transship his cargoes of fish at a Canadian port," because both "are contrary to the letter and spirit of the convention of 1818." "The convention of 1818," said a committee of the Canadian Privy Council, on October 30, 1886, "does not confer upon United States *fishermen* 'privileges of trading or of shipping men' in Canadian ports." And, finally, a committee of the Canadian Privy Council declared, in effect, on November 24, 1886, that an American vessel, *manned, equipped and prepared for taking fish*, has not the liberty of commercial intercourse in Canadian ports, such as are applicable to other regularly-registered foreign merchant vessels.

Such an interpretation of the present legal effect of the first article of the treaty of 1818 is, in the opinion of your committee, so preposterous, in view of concerted laws of comity and good neighborhood enacted by the two countries, that, had it not been formally put forth by the Dominion of Canada, it would not deserve serious consideration by intelligent persons. If all the stipulations of 1818 restraining American fishermen are now in full force (which may well be doubted), your committee concedes that American fishermen have no more liberty to take fish or to dry or cure fish in what has been described as portion B, than a British fisherman has to take fish in the inner harbor of New York, and to dry or cure fish in the City Hall park of that city. But the liberty of an American fisherman to take, dry and cure fish in portion A, in common with British subjects, is as complete and absolute as is the right of citizens of New York to fish in the waters of the Hudson river. The treaty of 1818 furnishes no more excuse for the exclusion of a deep-sea fisherman from the port of Halifax, or any other open port of the Dominion of Canada, than for the exclusion by the Secretary of the Treasury of a deep-sea fisherman from entering the port of New York according to the forms of law, and for the ordinary purposes of trade and commerce. The exclusion, if made, must be justified, if at all, for other reasons than any yet given by Canada.

Keeping in mind the words of the third article of the treaty of peace in 1783, which not only acknowledged the *right* of the united American colonies to fish in the open sea as freely as to navigate the open sea, but also acknowledged and stipulated for the *liberty* to "take fish of every kind" on coasts, bays and creeks of *all* of His Britannic Majesty's dominions in America, it will be discerned that this contention of the Privy Council of Canada makes of the renunciation by the United States, in 1818, of the liberty theretofore enjoyed or claimed by American fishermen within three miles of certain carefully-defined coasts, bays, creeks or harbors, not merely a renunciation of specific local liberty, but a forsaking, a relinquishment, a surrender, an abandonment by the United States of other rights held up to 1818.

CERTAIN CANADIAN COASTS ARE SUBSERVIENT TO AMERICAN FISHERMEN.

The treaty of 1783 diminished and impaired, and was intended to diminish and impair, British sovereignty over the remaining British colonies of North America. The United States had conquered full and complete dominion over the right of fishing in the jurisdictional waters of each of the thirteen United States, but the British colonies did not emerge from the negotiations of the treaty of peace with similar dominion

over the fisheries on the shores and coasts of the thirteen recognized States. British fishermen can not fish on the coasts of Massachusetts, but American fishermen can fish on certain shores and coasts of the Dominion of Canada and of Newfoundland. Apart from fishing and the incidents of fishing, it is conceded that the British Government has exclusive control, as against the United States, of the customary and usual rights of navigation in the jurisdictional waters of the British colonies. What we claim for ourselves, under the rules of public law, and apart from treaties, we concede to others. Rights of *navigation* are ordinarily separate from rights of *fishing*. The Commonwealth of Massachusetts may control the right and liberty of *fishing* on her coast, as against any power other than the Government of Washington, but the right of navigation of the jurisdictional waters of Massachusetts is always subject to the control of the United States. The *use* of waters in respect of navigation is easily distinguishable from the *fruit* of waters in respect to fishing or fish. The United States have, so far as the British North American colonies, and all the world, are concerned, the right of navigating and fishing on the high seas, and, in addition, the right of *fishing* in certain British territorial and jurisdictional waters. That right of fishing, either inshore or offshore, should carry with it the natural and necessary navigating incidents of the right.

It may be conceded that, apart from the right of American fishermen to take fish of all kinds within certain clearly-defined British waters, American deep-sea fishermen have no greater rights, by treaty or public law, in British ports, than British fishermen have in American ports, so far as concerns revenue police, maritime tolls or taxes, pilotage, lighthouses, quarantine and all matters of ceremonial. But the contention of the Privy Council of Canada is that if a vessel bearing the registry, or enrollment, or license of the Treasury Department (which alone makes her an American vessel) be licensed, equipped and under contract with her seamen as an American fisherman on the open sea, she thereby comes under the ban of the treaty of 1818, and is thereby abandoned by the nation whose flag is at her masthead, and is by the treaty excluded from an entrance into a Canadian or Newfoundland port, excepting for one of the objects enumerated in that treaty. Canadian ports are closed to her as an outcast. An American or a Canadian fishing vessel on the high seas, and lawfully wearing the flag of its country, should be, if permitted by its own Government to touch and trade, entitled to the same rights of navigation and the same treatment in a foreign port as any trading vessel.

CANADIAN INHUMANITY.

If the Privy Council and the Governor-General of the Canadian Dominion excluded all American vessels from all rights of touching or trading in Canadian ports, excepting to obtain shelter, repairs, wood or water, the contention would be logical and more tolerable; but to every American vessel other than a fishing vessel, be the fisherman big or little — a schooner, a sloop, a ship, or a steamer of large tonnage — Canadian ports seem to be wide open. If, however, she be an American fishing vessel on the high seas, she can not go into a Canadian bay even to bury those of her dead who in life may have been British subjects with a domicile in Canada and a residence on the land near the bay, and may have expressed a wish not to be committed to the sea, but to be lain at rest by their kindred on the spot which gave them birth.

The treaty of 1818 gave rights of fishing independent of general commercial rights, although it may be said that, as to shelter, repairs, wood and water, the treaty did give to fishermen certain commercial rights, or rather a few rights of humanity. The treaty did not restrain the granting or the exercising of commercial rights. The right, if it be a right, of an American to buy anything in Canada does not come of the inshore fishing treaty of 1818. Your committee are not aware of any Canadian or Newfoundland law which, having been approved by the British Crown, forbids a British subject to there sell ice, or bait, or anything else, to an American, or to trade with him. If there be such a law, then nonintercourse has to that extent been proclaimed against our countrymen.

CANADIAN VIOLATIONS OF TREATIES.

The contention of your committee is that the treaty of 1818 covers differences and disputes about the liberty of American fishermen to take, dry and cure fish on certain British North American coasts, bays, harbors and creeks. The Privy Council of Canada, at the bottom of page 32 (Ex. Doc. No. 19, Forty-ninth Congress, Second Session), concedes the correctness of this contention. They say:

> The *sole* purpose of the convention of 1818 was to establish and define the rights of citizens of the two countries in relation to the *fisheries* on the British North American *coast.*

The treaty is limited to coast fishing, drying or curing. On certain defined portions of the coast "American fishermen" may fish, but elsewhere on the coast they may not fish, and yet those coast "American fishermen" may, nevertheless, and for certain purposes, enter the bays and harbors in which they can not fish, under restrictions — to prevent them from doing what? "Taking, drying or curing fish *therein?*"

Your committee contend that the term "American fishermen," as used in the treaty of 1818, means the "American fishermen" of and under that treaty. The rule *noscitur a sociis*, as understood and applied by judges and lawyers in England and America, limits and defines the term, they have a treaty right to enter "such bays and harbors" and to *remain* there, subject, and subject only, to such restrictions "as may be *necessary* to prevent their taking, drying or curing fish therein." The restrictions can only apply to the prevention of such *fishing* in those bays or harbors. Whatever concerns or is preparation for fishing elsewhere is not thereby to be prevented. It is true that, by the treaty of 1818, we have stipulated that our fishermen "shall be under such restrictions as may be necessary to *prevent* their taking, drying or curing fish *therein*," but the treaty says nothing of "preparing to fish" somewhere else. A presentation of the opinions of the Vice-Admiralty Court of Canada, in regard to the meaning of the Canadian phrase "preparing to fish"—which is a stranger to the treaty of 1818—can be seen in Dr. Wharton's "International Law Digest," volume III, section 304.

If it be said that our view of the treaty is strict, severe and rigid as against Canadian statutes and officials, your committee answer that when Canada proposes and endeavors to use a treaty to arrest and fine American fishermen, seize and confiscate American vessels for the benefit of Canadian seizers, the Government of the United States is entitled to stand on such an interpretation. But even if the treaty of 1818 covers (which it does not) every American fisherman entering a Canadian harbor, on whatever sea or ocean he may cast a line or draw a seine, the Canadian statutes do not preserve and enforce the treaty. They destroy it, so far as the privileges are concerned that are given to American fishermen by the treaty.

First of all in order of time and authority is the imperial legislation at London in 1819 to enforce the treaty of the previous year. After forbidding everyone, excepting British subjects and American citizens (who could do so within defined limits), to fish, dry or cure fish anywhere within three miles of British coasts in America, that law of 1819 punishes by forfeiture any offending vessel, and all the articles on board. Then comes this:

That if any person or persons, upon requisition made by the Governor of Newfoundland, or person exercising the office of Governor, or by any Governor or person exercising the office of Governor, in any other parts of His Majesty's dominions in America, as aforesaid, or by any officer or officers acting under such Governor or person exercising the office of Governor, in the execution of any orders or instructions from His Majesty in council, shall refuse to depart from

such bays or harbors; or if any person or persons shall refuse or neglect to conform to any regulations or directions which shall be made or given for the execution of any of the purposes of this act, every such person so refusing or otherwise offending against this act shall forfeit the sum of £200, to be recovered, etc.

It will be seen that not forfeiture, but a fine to be recovered by a suit, is inflicted for refusing or neglecting to depart on notice. The statutes of Canada are not, as the Canadian Privy Council asserted (page 32), "expressed in almost the same language" as the foregoing imperial statute.

The Prince Edward's enactment of 1844 gives the keynote of Canadian enactments. It declares:

Whereas, By the convention (made between his late Majesty King George the Third and the United States of America, signed at London, on the twentieth day of October, in the year of our Lord one thousand eight hundred and eighteen), and the statute (made and passed in the Parliament of Great Britain in the fifty-ninth year of the reign of his late Majesty King George the Third), all foreign ships, vessels or boats, or any ship, vessel or boat, other than such as shall be navigated according to the laws of the United Kingdom of Great Britain and Ireland, found fishing, or to have been fishing, or preparing to fish, within certain distances of any coast, bays, creeks or harbors whatever, in any part of His Majesty's dominions in America not included within the limits specified in the first article of the said convention, are liable to seizure; and, whereas, the United States did, by the said convention, renounce forever any liberty enjoyed or claimed by the inhabitants thereof to take, dry or cure fish on or within the abovementioned limits: *Provided, however,* That the American fishermen be admitted to enter such bays or harbors for the purpose of shelter and of repairing damages therein, of purchasing wood, and of obtaining water, and for no other purposes whatever, but under such restrictions as might be necessary to prevent their taking, drying or curing fish therein, or in any other manner whatever abusing the privileges thereby reserved to them; and, whereas, no rules or regulations have been made for such purpose, and the interests of the inhabitants of this island are materially impaired; and, whereas, the said act does not designate the persons who are to make such seizure as aforesaid, and it frequently happens that persons found within the distances of the coasts aforesaid, infringing the articles of the convention aforesaid, and the enactments of the statute aforesaid, on being taken possession of, profess to have come within said limits for the purpose of shelter and repairing damages therein, or to purchase wood and obtain water, by which the law is evaded, and the vessels and cargoes escape confiscation, although the cargoes may be evidently intended to be smuggled into this island, and the fishery carried on contrary to the said convention and statute.

The Canadian enactment of 1868 came next, the second and third sections of which say:

2. Any commissioned officer of Her Majesty's navy serving on board of any vessel of Her Majesty's navy cruising and being in the waters of Canada for

purpose of affording protection to Her Majesty's subjects engaged in the fisheries, or any commissioned officer of Her Majesty's navy, fishery officer, or stipendiary magistrate on board of any vessel belonging to or in the service of the Government of Canada and employed in the service of protecting the fisheries, or any officer of the customs of Canada, sheriff, magistrate, or other person duly commissioned for that purpose, may go on board of any ship, vessel or boat within any harbor in Canada, or hovering (in British waters) within three marine miles of any of the coasts, bays, creeks or harbors in Canada, and stay on board so long as she may remain within such place or distance.

3. If such ship, vessel or boat be bound elsewhere, and shall continue within such harbor or so hovering for twenty-four hours after the master shall have been required to depart, any one of such officers or persons as are above mentioned may bring such ship, vessel or boat into port and search her cargo, and may also examine the master upon oath touching the cargo and voyage; and if the master or person in command shall not truly answer the questions put to him in such examination, he shall forfeit $400; and if such ship, vessel or boat be foreign, or not navigated according to the laws of the United Kingdom or of Canada, and have been found fishing, or preparing to fish, or to have been fishing (in British waters) within three marine miles of any of the coasts, bays, creeks or harbors of Canada, not included within the above-mentioned limits, without a license, or after the expiration of the period named in the last license granted to such ship, vessel or boat under the first section of this act, such ship, vessel or boat, and the tackle, rigging, apparel, furniture, stores and cargo thereof shall be forfeited.

The treaty stipulates that the fishermen shall be under "necessary restrictions" to prevent the doing of the things forbidden by the treaty, but what may be "necessary" to prevent the prohibited fishing is a political and diplomatic question for the two signatory Governments to decide. The treaty permits American fishermen to enter and remain for —

1. "Shelter," which includes a refuge from fogs, winds, storms and whatever may imperil fishing.

2. "Repairing damages," which includes every damage to fishing boat or fishing gear.

3. "Purchasing wood."

4. "Obtaining water."

Conceding that Canada can place an officer on every arriving fisherman as soon as found, the treaty does not even then authorize a twenty-four-hour limit with the result of forfeiture. Nor does the treaty authorize forfeiture for "*preparing* to fish."

The customs circular issued at Ottawa, on May 7, 1886, and called a "Warning," recited the first article of the treaty of 1818, together with the two sections of the law of 1868 just quoted, and adds:

Having reference to the above, you are requested to furnish any foreign vessels, boats or fishermen found within three marine miles of the shore, within your district, with a printed copy of the warning inclosed herewith.

If any fishing vessel or boat of the United States is found fishing, or to have been fishing, or preparing to fish, or hovering within the three-mile limit, does not depart within twenty-four hours *after receiving such warning*, you will please place an officer on board of such vessel, and at once telegraph the facts to the Fisheries Department at Ottawa, and await instructions.

J. JOHNSTON,
Commissioner of Customs.

To the Collector of Customs at ———.

Thus, twenty-four hours after finding the American fisherman is made the limit.

Not satisfied with the severity of this legislation of 1868, the Canadian Dominion, in 1870, and while preliminary negotiations for the joint high commission and the treaty of Washington were in progress, amended it so as to enable seizures of our vessels to be made on sight, and without any warning or any notice to depart. The following is a text of the enactment of 1870:

(33 Victoria, chap. 15.)

AN ACT to amend the act respecting fishing by foreign vessels. Assented to 12th May, 1870.

Whereas, It is expedient, for the more effectual protection of the inshore fisheries of Canada against intrusion by foreigners, to amend the act, entitled "An act respecting fishing by foreign vessels," passed in the thirty-first year of Her Majesty's reign: Therefore, Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

1. The third section of the above-cited act shall be and is hereby repealed, and the following section is enacted in its stead:

"3. Any one of such officers or persons as are above mentioned may bring any ship, vessel or boat being within any harbor in Canada, or hovering (in British waters) within three marine miles of any of the coasts, bays, creeks or harbors in Canada, into port and search her cargo, and may also examine the master upon oath touching the cargo and voyage; and if the master or person in command shall not truly answer the questions put to him in such examination he shall forfeit $400; and if such ship, vessel or boat be foreign or not navigated according to the laws of the United Kingdom or of Canada, and have been found fishing or preparing to fish, or to have been fishing (in British waters) within three marine miles of any of the coasts, bays, creeks or harbors of Canada, not included within the above-mentioned limits, without a license or after the expiration of the period named in the last license granted to such ship, vessel or boat, under the first section of this act, such ship, vessel or boat, and the tackle, rigging, apparel, furniture, stores and cargo thereof shall be forfeited."

2. This act shall not be construed as one with the said act "respecting fishing by foreign vessels."

But this is not all. Canadian officials endeavored, during the last summer, in the fury of their malevolence, to forfeit American vessels for acts which, if committed, their own laws had not inflicted punishment. In the libel of information against the Ella M. Doughty is this

article, among other allegations of fishing, preparing to fish, being found having fished, and fishing, drying and curing in the bay and harbor of St. Anne's:

Between the 10th and 17th days of May, 1886, the said Warren A. Doughty, the master of the said ship or vessel Ella M. Doughty, and the officers and crew of the said ship or vessel Ella M. Doughty, did, in and with the said ship or vessel Ella M. Doughty, enter into the bay and harbor of St. Anne's aforesaid within three marine miles of the shore of said bay and harbor of St. Anne's, and within three miles of the coasts, bays, creeks and harbors of those portions of the dominions in America of his said late Majesty King George the Third, being now the dominions in America of Her Majesty Queen Victoria, not included in the limits specified and defined in the said first article of the said convention and set out and recited in the first paragraph hereof, *for the purpose of procuring bait*, that is to say, herrings, wherewith to fish, *and ice for the preservation on board said vessel of bait to be used in fishing*, and of fresh fish to be fished for, taken and caught by and upon the said vessel and by the master, officers and crew thereof, and *did procure such bait* wherewith to fish, and *such ice* for the purposes aforesaid, and did so enter for other purposes than for the purpose of shelter or repairing damages, or of purchasing wood, or of obtaining water, contrary to the provisions of the said convention and of the said several acts, and the said vessel Ella M. Doughty and her cargo were thereupon seized within three marine miles of the coast or shores of the said bay and harbor of St. Anne's by Donald McAuley and Lauchlin G. Campbell, officers of the customs of Canada, as being liable to forfeiture for the breach or violation of the said convention and of the said several acts.

Your committee has been unable to find a Canadian statute which, at the date of the alleged offense, punished those acts by forfeiture of the offending vessel. None is averred. The article quoted from the Ella M. Doughty libel does not set forth where the fishing was to be done, for which bait and ice were bought, whether on the ocean, or elsewhere, outside of Canadian jurisdiction. The laws of 1868 and 1870 denounce only fishing or preparing to fish "*in British waters*," which must be, of course, under the treaty, the prohibited and not permitted British waters.

Thus stood Canadian legislation at the beginning of the summer fishing season which has recently come to an end. There was no Canadian or other law, at the end of forty-eight years from the date of the treaty, inflicting forfeiture of the vessel and the cargo on board excepting on proof of the offense of fishing or having been found to have fished, or preparing to fish, on the prohibited coasts. But Canadian officials wished to forfeit the vessels and cargoes of American deep-sea fishermen exercising the liberty "to touch and trade," and send fish by railway or vessel to our own markets. What could be done? Nothing less than a new law could avail them, and it was enacted in these words:

(49 Victoria, chap. 114.)

AN ACT further to amend the act respecting fishing by foreign vessels.

(Reserved by the Governor-General on Wednesday, 2d June, 1886, for the signification of the Queen's pleasure thereon. Royal assent given by Her Majesty in council, on the 26th day of November, 1886. Proclamation thereof made on the 24th day of December, 1886.)

Whereas, It is expedient for the more effectual protection of the inshore fisheries of Canada against intrusion by foreigners, to further amend the act, intituled "An act respecting fishing by foreign vessels," passed in the thirty-first year of Her Majesty's reign, and chaptered 61:

Therefore, Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

1. The section substituted by the first section of the act thirty-third Victoria, chapter 151, intituled "An act to amend the act respecting fishing by foreign vessels," for the third section of the hereinbefore-recited act, is hereby repealed, and the following section substituted in lieu thereof:

"3. Any one of the officers or persons hereinbefore mentioned may bring any ship, vessel or boat, being within any harbor of Canada, or hovering in British waters within three marine miles of any of the coasts, bays, creeks or harbors in Canada, into port and search her cargo, and may also examine the master upon oath touching the cargo and voyage; and if the master or person in command does not truly answer the questions put to him in such examination, he shall incur a penalty of $400; and if such ship, vessel or boat is foreign, or not navigated according to the laws of the United Kingdom or of Canada, and (A) has been found fishing, or preparing to fish, or to have been fishing in British waters within three marine miles of any of the coasts, bays, creeks or harbors of Canada, not included within the above-mentioned limits, without a license, or after the expiration of the term named in the last license granted to such ship, vessel or boat under the first section of this act, or (B) *has entered such water for any purpose not permitted by treaty or convention, or by any law of the United Kingdom or of Canada for the time being in force, such ship, vessel or boat, and the tackle, rigging, apparel, furniture, stores and cargo thereof shall be forfeited.*"

2. The acts mentioned in the schedule hereto are hereby repealed.

3. This act shall be construed as one with the said "*act respecting fishing by foreign vessels,*" and the amendments thereto.

SCHEDULE.

Acts of the Legislature of the Province of Nova Scotia.

Year, reign and chapter.	TITLE OF ACT.	Extent of repeal.
Revised Statutes, 3d series, c. 94	Of the coast and deep-sea fisheries	The whole.
29 Vic. (1866), c. 35	An act to amend chapter 94 of the Revised Statutes, "Of the coast and deep-sea fisheries."	The whole.

Acts of the Legislature of the Province of New Brunswick.

16 Vic. (1853), c. 69	An act relating to the coast fisheries and for the prevention of illicit trade.	The whole.

By comparing the foregoing with the law of 1870, the object will, in the italicized portion of the former, be clearly discovered, which is to deter deep-sea American fishermen from entering Canadian ports which are as open to all trading vessels as American ports are to Canadian vessels of every sort.

Forfeiture is to be inflicted for an entry for any purpose, excepting shelter, repairs, wood or water. Even to get coal for a fishing vessel propelled by steam is condemned. What the purpose may be for which seizure is to be made may or may not be disclosed by the seizer. The statute does not require it. The libel or complaint filed in court may not disclose it. The averment may be merely a general one that the vessel entered for a purpose forbidden by treaty or statute. The owner must file a claim and answer, or his property will be condemned by default. He must, among strangers, give security for costs, or his claim will be dismissed. Worse than that, the statute of 1868 declares that, if the owner questions the legality of the seizure, the burden of proof shall be on him. How can he meet a general averment and prove a negative of what is not definitely averred, and of every conceivable purpose of entry? None but the captain may be able to testify to the motive, and what will happen if he, after the seizure, shall die or be absent? The owner will be helpless to contend with the greed of informers or seizers, for the law of 1871 distributes the possible plunder thus:

6. All goods, vessels and boats, and the tackle, rigging, apparel, furniture, stores and cargo condemned as forfeited under this act, shall be sold by public auction, by direction of the officer having the custody thereof, under the provisions of the next preceding section of this act, and under regulations to be from time to time made by the Governor in council; and the proceeds of every such sale shall be subject to the control of the Minister of Marine and Fisheries, who shall first pay therefrom all necessary costs and expenses of custody and sale, and the Governor in council may from time to time apportion three-fourths or less of the net remainder among the officers and crew of any Queen's ship or Canadian Government vessel, from on board of which the seizure was made, as he may think right, reserving for the Government and paying over to the Receiver-General at least one-fourth of such net remainder to form part of the consolidated revenue of Canada.

CONCLUSIONS.

The treaties of 1783 and 1818 were made with the British Crown. With that Crown alone can restrictions, regulations, penalties and measures be concerted by the United States to enforce and guard their stipulations. With the Dominion of Canada the Government at Washington is not called, or required, or to be expected, either to deliberate or debate,

any more than is the British Crown, with a separate member of our Union. It is not to be supposed that a local colonial court will, on the trial of a suit for forfeiture begun under an imperial or a colonial statute, hear or decide an issue with the treaty of 1818, or rules of international law, or those statutes. Nor will those courts award damages for seizures in violation of the treaty, if made on "probable cause" by the seizers to believe that the statutes had been violated. Nor can the United States appeal to colonial courts for redress against the possible conduct of those courts under influences of local passion or prejudice.

It plainly appears to your committee from the foregoing considerations that, by the treaty of peace in 1783, American citizens became partners with British subjects in all the coast fisheries in North America remaining to Great Britain; that the treaty of Ghent, which closed the war of 1812, not having referred to the stipulations of the treaty of peace in any way affecting the fisheries, Great Britain thereupon urged and obtained in 1818 a diminution of American liberty to take fish on certain well-defined portions of the British coast in North America; that in 1819 there was enacted by Parliament, sitting in London, a law in execution of that treaty which punished by forfeiture of vessel and cargo a preparation to fish, and only by a fine a refusal or neglect to depart on a warning or notice so to do; that in 1844 the island of Prince Edward enacted a law in punishment of what it assumed to be a violation of the treaty of 1818, which went far beyond the imperial statute of 1819; that in 1868 the Canadian Senate and House of Commons prescribed additional proceedings and penalties not warranted by the treaty, which were in 1870 made more severe and unwarranted, and that in 1886, nearly half a century after signing the treaty, an offense, entirely new in legislation, was denounced in most general terms and punished by confiscation of everything seized.

THE BRITISH CROWN PROCLAIMS NONINTERCOURSE.

A very serious feature of this last-named legislation is that it has been approved by the British Crown, and it proclaims nonintercourse in Canada with American fishing vessels for general purposes of trade. To that alarming feature your committee has given careful consideration, and is unanimously of opinion that if, and so long as, nonintercourse with American fishing vessels shall be thus maintained in the ports or bays of the Dominion of Canada or Newfoundland, a nonintercourse should be immediately begun and maintained in our own ports against Canadian vessels. Those vessels, whether trading or fishing, have, within the meaning of the seventeenth section of the law of Congress of June 19, 1886, "been placed on the same footing" in our ports

as our own vessels clearing or entering "foreign." Canadian vessels are British vesels. The British Crown has denied to American fishing vessels commercial privileges accorded to other national vessels in Canadian ports. The motive and purpose of such denial have been openly and plainly avowed by Canada to be, first, the punishment of such vessels, because the United States levies a duty on Canadian fish not "fresh for immediate consumption," such as the Government levies on all such fish not the product of American fisheries and imported from any foreign place whatever; and, secondly, to coerce the United States to exempt such Canadian fish from all customs duties, and to enter into other new reciprocal customs relations with the Canadian Dominion and Newfoundland. It is a policy of threat and coercion, which, in the opinion of your committee, should be instantly and summarily dealt with. The circumstances will warrant and require, in the opinion of your committee, not only nonintercourse with Canadian vessels bringing Canadian or Newfoundland fish to our ports, but an exclusion of such fish from entry at our ports, whether brought by railway cars or by any other vehicle or means. It is difficult to believe that Canada having within the last twenty years so severely burdened herself with taxation by the construction of railways and bridges to bring about easy communication with Detroit, Chicago, Saint Paul and the whole West of our country, as well as with New York and Boston, will now deliberately and offensively enter upon and pursue a policy toward our fishermen which, if persisted in, can but end either in a suspension of commercial intercourse, by land and sea, between her and ourselves, or in consequences even more grave.

A LAW TO MAKE A PERPETUAL RECORD OF THE FACTS.

And, furthermore, in regard to seizures of American vessels made during the summer which has just passed, inasmuch as a true record of the facts under which the seizures were made may be lost, by death of the victims, or by wanderings of a class so migratory as seamen, or by other casualties, and inasmuch as Congress may see fit to compensate American fishermen for the injuries wantonly inflicted on them by the rude hand of tyrannical Canadian officials, there having been no adequate American force at hand for their protection, your committee advise the enactment of the following

BILL for the appointment of a commission to investigate concerning losses and injuries inflicted since December thirty-first, eighteen hundred and eighty-five, on United States citizens engaged in the North American fisheries.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President be and is hereby authorized

to appoint a commissioner to proceed to such places in the United States or elsewhere as may be designated by the Secretary of State, to take testimony, under oath or affirmation, in relation to the losses and injuries inflicted since the thirty-first of December, eighteen hundred and eighty-five, by British authorities, imperial or colonial, upon citizens of the United States engaged in the fisheries on the northeast coasts of British North America. Said commissioner shall everywhere have, in respect to the administration of oaths or affirmations and the taking of testimony, the same powers as a commissioner of a Circuit Court, and shall be paid the same fees as are prescribed for similar services of a commissioner of a Circuit Court, together with traveling expenses.

AMERICAN VESSELS IN CANADIAN PORTS.

[NONINTERCOURSE WITH CANADA.]

January 24, 1887.

Mr. BELMONT submitted the following resolution, which was referred to the Committee on Foreign Affairs:

Resolved, That the President be requested to transmit to the House copies of such correspondence, up to the present day, between this Government and the British Government as he may decide can now properly be made public, in regard to the deprivation inflicted in Canadian ports on American fishing vessels having the right to touch and trade of the liberty heretofore enjoyed by such vessels to enter Canadian ports open to foreign vessels, and buy and sell, and to transmit merchandise therein, and which is permitted in such ports to American trading vessels and to vessels of all other nationalities.

January 24, 1887.

The above resolution was reported back favorably and adopted.

The President's message, in response to the resolution, was received by the House February 8, 1887 (Ex. Doc. 135).

[SEE THIS SUBJECT CONTINUED, FEBRUARY 16, 1887.]

SPEECH AND DEBATE ON CONSULAR AND DIPLOMATIC APPROPRIATION BILL.

February 5, 1887.

[MR. BELMONT, FROM THE COMMITTEE ON FOREIGN AFFAIRS, REPORTED THIS BILL TO THE HOUSE DECEMBER 21, 1886.]

Mr. BELMONT.— I move that the House now resolve itself into the Committee of the Whole on the state of the Union, for the purpose of considering general appropriation bills.

The motion was agreed to.

Mr. BLOUNT was called to the chair, and the committee took up for consideration the consular and diplomatic appropriation bill, the first reading of which was dispensed with.

Mr. BELMONT.— Mr. Chairman, in presenting this bill to the House, the Committee on Foreign Affairs has considered it to be its duty to incorporate certain changes in the consular service deemed absolutely necessary, but the committee would not have made these recommendations had it not believed them to be in accordance with the rules of the House.

They are very simple, consisting mainly in transferring certain Consuls from one grade to another, and thereby increasing their salaries in accordance with earnest recommendations of the State Department, also by transferring from the feed list of Consuls to the salaried list certain other Consuls regarded and recommended by the department and the President as an important reform to be effected.

The House, of course, is informed already as to the provision of law by which Consuls who receive a salary of $1,000 and those Consuls or other officers who receive fees amounting to $1,000 or less are entitled to engage in trade. This practice certainly is not beneficial to the service. Secretaries of State, one after another, have recommended to Congress the abolition of the trading of Consuls.

The Committee on Foreign Affairs has accomplished this result by omitting to appropriate for the seventh or trading class and transferring such Consuls to other classes. It will hardly be necessary for me at this time to discuss the point of order which may be raised against such a proceeding. But I will say now that in my judgment the change proposed is undoubtedly within the rule of the House, because the transfer can be made without any change of existing law, there being no law fixing the number of Consuls of each class.

The only distinctly-organizing law unrepealed we know of is that of 1856, which made an approximate classification of our consular service. The classification, however, was more thoroughly carried out in 1874 on an appropriation bill. Each class was then designated by the amount of salary received, but no limit as to the number of consulates in any class was fixed. Therefore, if we increase the number in any one class by a transfer we do not change existing law.

Last year the diplomatic and consular appropriation bill appropriated:

For salaries of diplomatic officers and contingent and miscellaneous expenses of foreign intercourse	$595,245
For salaries and contingent and miscellaneous expenses of consular service (not including compensation, rent and contingent expenses of officers paid by fees)	760,820
	$1,356,065

This year the bill appropriates —

For salaries of diplomatic officers and contingent and miscellaneous expenses of foreign intercourse	$645,745
For salaries and contingent and miscellaneous expenses of consular service (including appropriations for fixed salaries, office rent and contingent expenses of officers now paid by fees)	1,035,700
	$1,681,445

The apparent increase of this bill over last year amounts to about $325,000. Now, if the House will examine the bill, it will at once see that, while we increase the salaries of Consuls to the extent of $125,000, we turn into the Treasury an amount of fees equaling, if not exceeding, that sum. The transfer of the seventy fee-Consuls by this bill to places on the salaried list carries along with it an appropriation of $125,000 for their salaries. By the report of the Fifth Auditor, there is returned to the Treasury $153,000 in fees by these officers, of which they retain as compensation at least $120,000. So that the House, in adopting this

principle, will not actually increase the amount taken out of the Treasury, but will simply establish a new and better system of Treasury bookkeeping.

Moreover, it can not be doubted that this transfer will carry with it a direct increase of revenue to the Treasury in the shape of a closer collection of duties. The State Department has placed this advantage upon the lowest possible estimate, at $150,000; one estimate laid before the committee putting it considerably higher.

I will illustrate by stating one case: A merchant in Russia had endeavored to obtain from the salaried Consul at Odessa an undervaluation of an invoice of wool, and the salaried Consul refused to certify the invoice. But a neighboring feed consular officer did certify the invoice, and there was a loss to the Treasury of $20,000 on that one shipment.

The House will perceive, by this illustration alone, how great is the advantage of the Treasury of putting these officials upon salaries. You thereby remove the temptation which undoubtedly exists to-day to favor certain merchants in the matter of invoices, and which, as I have said, is estimated to cost the Treasury at least $150,000 a year.

I think I can say here, on behalf of the committee, that it has been actuated throughout by a spirit of economy, while at the same time it has had no hesitation in recommending to the House the absolutely-necessary increases which have been recommended not only by Secretary Bayard but by numerous other Secretaries of State.

There are changes in the bill with reference to the diplomatic service. There is an increase of the salary of our Minister to China. This has more than once before been brought prominently to the attention of Congress. Our relations with China are most important in their nature, certainly quite as much so as our relations with Russia or Germany.

Some gentleman may feel it incumbent upon him to raise the point of order against this proposition to increase the salary of the Minister to China, but he will find it difficult, it seems to me, to discover what is existing law upon this question. The only law which has attempted to fix the salaries of diplomatic officials, under a systematic organization, was the law of 1856. If we go back to that law, we will discover that the Minister at Berlin was paid a salary of $12,000, and not $17,500 as now; so that, if the point of order lies against the increase of the salary of the Minister to China, it would lie equally against the recommendation which we have repeated here in regard to the mission to Berlin, and also as to Russia.

But the fact is, Mr. Chairman, that upon an examination of this bill the House will perceive that it can easily be disposed of within a legis-

lative day, and although it is rather later in the day than I had hoped to bring it before the House, yet, unless I find more disposition to debate the bill than there appears to be at present, I will ask that the committee rise for the purpose of limiting the discussion.

Mr. McCREARY.— I am a member of the Committee on Foreign Affairs, and desire to submit some remarks to this House. I am not in favor of the increase of salaries recommended by this bill, and hope that debate will not be limited at this time.

This is a very important bill. It has some sweeping changes in it. It doubles the salaries of a number of Consuls and increases the salaries of some of our Foreign Ministers. It proposes an increase of the salaries of a number of Consuls from $3,000 to $4,000.

The CHAIRMAN.— Does the gentleman from New York yield the floor?

Mr. BELMONT.— I was somewhat surprised by the gentleman from Kentucky, a member of the Committee on Foreign Affairs, and I did not yield. Of course, if he desires to oppose the bill, I shall see that full time is given to him.

Mr. McCREARY.— I do not desire — if the gentleman will allow me to correct him — I do not desire to oppose a consular and diplomatic appropriation bill. But I shall oppose the sweeping increase of salaries of this bill.

Mr. BAYNE.— I desire to inquire whether or not all points of order have been reserved?

Mr. BELMONT.— They have been.

I regret very much, Mr. Chairman, that my colleague on the committee should consider these changes to be, as he terms them, sweeping, and that he should seek to convey the impression that the salaries of some of the Consuls have been doubled. But the House will certainly sustain the committee when it perceives that the compensation has not been doubled. Where a Consul has hitherto received a thousand-dollar salary and has engaged in trade and has obtained, by virtue of that privilege, compensation of which this Government can obtain no knowledge — when he is put upon a salary of $2,000, as in this bill, and is thereby prohibited by a standing provision of law from engaging in trade, I admit that his salary is doubled, but the amount of compensation he receives by virtue of his position is not doubled.

On the contrary, I have no doubt it has been the experience of many members upon the floor, as it has been my own, that the changes proposed in this bill have resulted in correspondence showing that the Consuls are

not satisfied, for they feel themselves somewhat cut down in many instances; and it is true that the committee has not followed out a very natural impulse, which would have been to compensate these officials completely for whatever may be taken away from them by transferring them from one class to another.

Mr. MILLIKEN.—Will the gentleman permit me to ask him a question? Do these Consuls receive the compensation of which you speak by engaging in a legitimate business or by taking fees?

Mr. BELMONT.— Both. There is a class of Consuls, called the seventh class, who receive $1,000 salary. Receiving only that amount, they are enabled, under the law, to engage in trade. What pecuniary advantage they may obtain in this way need not be illegitimate; and as to the amount, it can not be well estimated. But the practice is detrimental to the interests of the Government, and there is no difference of opinion as to that fact.

Mr. MILLIKEN.— That is just the question I was about to ask, whether it was detrimental to the interests of the Government.

Mr. BELMONT.— Yes, sir.

Mr. MILLIKEN.— I would like to ask the gentleman from New York if there are not some Consuls who receive almost no fees at all and take the position for the advantage it gives them in the way of trade; and if the salaries of those Consuls are raised so that they shall not take fees any longer?

Mr. BELMONT.— Those Consuls are placed on the salaried list for the purpose named by the gentleman; that is to say, in order to prevent them from engaging in trade.

Mr. MILLIKEN.— That is done in this bill?

Mr. BELMONT.— It is done in this bill. And in answer to my colleague, I would only have to repeat what I have already stated to the House, that where we appropriated $125,000 in salaries there is returned to the Treasury $120,000, besides the indirect advantage of placing men in a position where they will not be tempted to undervalue merchandise, because the man upon fees, if he happens to be one of a group of Consuls, for instance, all but himself receiving salaries, the man receiving the fees will certainly obtain the custom of merchants who desire to undervalue.

I do not desire to cast any discredit upon our consular service, because that service is entitled to the respect of the House. But we are compelled to take notice of facts within the knowledge of the Department of State and communicated to us upon this subject.

As to the increase in the diplomatic service of which my colleague on the committee spoke, I will say that, as to salaries, there are but two

propositions for an increase; one being the increase of salary for our Minister to China, and the other for the increase of the salary of our Minister to the Argentine Republic; and the last named is only a restoration of the salary established in 1856.

Of course, if the House chooses to strike out that proposition on a point of order, it has the power to do so, though I think some argument may be made to resist it. But as to the changes in the consular service, I do not think that any gentleman can successfully show that these transfers are properly subject to a point of order.

Mr. RYAN.—Will the gentleman allow me a question?

Mr. BELMONT.— Yes, sir.

Mr. RYAN.— I see you have taken from the fifth class and restored to the fourth class Crefeld, Leipsic and Nuremberg. Why did you not also restore from the fifth to the fourth class Sonneberg?

Mr. COX, of North Carolina.— I suggest that those matters will come up when the bill is considered by paragraphs.

Mr. RYAN.— I simply desired to ask why the same was not done by Sonneberg as was done in reference to the other places I have named.

Mr. BELMONT.— I will say, in answer to the gentleman from Kansas, he will remember that in this reorganization we have taken a very large number of Consuls; we have examined each case carefully, separately, and no recommendation has been made in the bill not contained in the estimates which must be in the hands of the gentleman himself. And to take up these questions at this stage of the bill, it seems to me, would be impracticable, because there are many other cases of a similar nature to those which the gentleman now mentions; and there are amendments which I, myself, desire to propose. I would, therefore, prefer that any gentleman having questions to propound to the committee should reserve them until we reach the respective class in the reading of the bill.

I will say now, that I know of several gentlemen who, actuated by the communications they have received from certain of these officials, desire to offer amendments. It seems to me more in order that we should consider these matters of detail when they are reached. If the House desires to enter into a general discussion on the bill, such a discussion should have a limit, and I, therefore, renew my motion that the committee rise for the purpose of limiting debate.

Mr. REED.— How can we limit debate until we know what the nature of it is?

The question being taken on the motion that the committee rise, there were — ayes, 31.

Before the negative vote was taken —

Mr. BELMONT said: I think, in view of the disposition shown by the House, it may be as well to let the debate run on during the rest of this day.

The CHAIRMAN (Mr. Blount).— Does the gentleman withdraw his motion?

Mr. BELMONT.— I do. I reserve the remainder of my time.

(Mr. McCreary addressed the committee.)

Mr. McCREARY.— * * * At Odessa — and I am glad now to come to Odessa — the present salary is $2,000. It is proposed by the bill under consideration to increase it to $2,500. The whole amount of fees collected there last year, according to the report of the Fifth Auditor, was only $185. As I understand the remarks of the distinguished gentleman from New York (Mr. Belmont), he said that a large amount of money was to be saved at Odessa by the change he proposes in this bill.

Mr. BELMONT.— Will the gentleman permit me a moment?

Mr. McCREARY.— Yes, sir.

Mr. BELMONT.— I think it would be a mistake to suppose that the smallness of the fees at any consulate is an indication that the office is not important. There are important consular positions where the fees are very small.

Mr. McCREARY.— I do not yield for a speech. I yield for a question.

Mr. BELMONT.— Then, if the gentleman from Kentucky will permit me, I will ask him this question: Does he know that the case which I mentioned of Odessa, where I spoke of the saving to the Treasury, was a case where a Consul received fees, possibly small in amount, but because he received fees he undertook to undervalue a shipment to the extent of $20,000, his neighboring American Consuls, who received salaries, having refused to make that undervaluation? I say that by putting a Consul in the neighborhood of this Consul at Rustchuk upon a salary, you remove the temptation to undervaluation.

Mr. CURTIN.— The cure of that is to get an honest man in the office.

Mr. McCREARY.— It appears that this Consul at Odessa was receiving part of the fees collected, and, according to the statement of my friend, acted badly, if not dishonestly. That man, if he acted badly or dishonestly as a feed Consul, would do the same if he were a salaried Consul, or would be a little more liable to misbehave in that way. Therefore, the remedy is to put in a new Consul —

Mr. BELMONT.— That has been done.

Mr. McCREARY.— And a Democrat, if there is not one there now.

* * *

Mr. REED (to Mr. McCreary).— Let me ask the gentleman a question?

Mr. McCREARY.— Yes, sir.

Mr. REED.— At whose recommendation were these changes made?

Mr. McCREARY.— The majority of the Committee on Foreign Affairs reported this bill.

Mr. REED.— Did they have any recommendation from the Secretary of State; or if not, from whom?

Mr. McCREARY.— They had some estimates furnished by the Secretary of State.

Mr. REED.— Are these changes in conformity to the estimates?

Mr. McCREARY.— I think some of them are; I do not know about all of them. I know the committee did not comply entirely with the recommendations of the Secretary of State.

Mr. REED.— I think, if you will give us the benefit of the Secretary's recommendations wherever you know them, it would be a favor to the House.

Mr. McCREARY.— There is a book of estimates to which I would most respectfully refer the gentleman from Maine.

Mr. BELMONT.— Will the gentleman permit me to ask him a question?

Mr. McCREARY.— Certainly.

Mr. BELMONT.— Does not my colleague on the committee know that all of these recommendations were made at the State Department — not only by the present State Department, but by previous State Departments? And does he not also know that the purpose of increasing the salary of these Consuls, say, for instance, at Gaboon, where the sum was formerly $1,000, was not to make up any difference to the Consul in the fees of which he is deprived if this bill becomes a law — for he receives a very small amount of fees — but, coming within the $1,000 class, he thereby is entitled to engage in trade? And does not my friend know, further, that the reason of the increase is to withdraw him from the $1,000 class, otherwise known as the "trading class?"

Mr. McCREARY.— Mr. Chairman, I know that there are many good and well-equipped men who are seeking these places at the present salary, who are willing to take them as they are now paid; and, therefore, I see no necessity for a change. * * *

Mr. BELMONT.— Will my friend allow me a question?

Mr. McCREARY.— Yes, sir.

Mr. BELMONT.— Does the gentleman suppose, when he says that by putting feed Consuls upon the salaried list, no benefit will accrue to the

service? Does he suppose that his experience upon that is better than that of every Secretary of State since Monroe? And does he imagine that the Consul will retrograde in this matter, because from year to year Consuls have been transferred from the feed to the salaried list? And what the committee now proposes to do is to take a longer step in advance. That is all. It is nothing new.

Mr. McCREARY.—I do not propose to put my knowledge against the various Secretaries of State to whom my friend from New York refers. But I am willing to stand with all the members of Congress since Monroe's time who have universally refused to do it.

Mr. LONG.—Can you show what connection there is between the salary of the Consul and the amount of fees he collects?

Mr. McCREARY.—As a general rule, if there is much business done, there will be good fees. If there is no business of any consequence done the fees will be insignificant, amounting, as they do in one case cited, to $2.50 per annum.

Mr. Chairman, I am compelled to dissent to one statement made in the report filed by a majority of the committee, and I only refer to it because I fear that some of my colleagues might be misled by it. Near the close of the report is this statement in reference to the change from the fee system to the salaried system:

> Estimated gain to Treasury from increased collections, $150,000.

I do not believe that any member of the House or of the committee can show that the gain to the Treasury, if this bill becomes a law, will amount to $150,000.

I have carefully made an estimate, and if you leave out St. Calle and Annaberg, the fees amount to about the same as the salaries. I do not see how there can be a gain to the Treasury from increased collections, amounting to $150,000, as stated in this report.

Mr. BELMONT.—As the gentleman from Kentucky has called for explanations and challenges any member of the committee to give them, it seems to me only proper that at this time an answer should be made. I think my friend is mistaken as to the meaning of that phrase. He clearly is. The department has made this estimate most carefully, not as to the amount of fees returned or anything of the kind; it is simply an estimated gain to the Treasury by reason of honest invoices. That is what it means.

Mr. McCREARY.—The majority report says:

> Estimated gain to Treasury, $150,000.

When the gentleman comes to occupy the rest of his time, I will be glad if he will show this House in what particulars the gain of $150,000 is made. It would be just as easy to say $300,000.

Mr. BELMONT.— Will not my friend be kind enough to read what is said there? It does not say —

Mr. McCREARY.— I have read it in full —

Estimated gain to the Treasury from increased collections —

Mr. BELMONT.— "Increased collections;" that is to say —

Mr. McCREARY.— When the gentleman from New York comes to occupy the rest of his time I want him to show how there will be an increase of collections, amounting to $150,000, and give the particular cases.

Mr. BELMONT.— If the gentleman will permit me to do so now, I will.

Mr. McCREARY.— If the gentleman can give the particular cases I will hear him now.

Mr. BELMONT.— The question only proves —

Mr. McCREARY.— I do not want any general answer. I want the places where the increase will occur.

Mr. BELMONT.— The question of my friend only proves, I am sorry to say, that he does not understand what this means.

Mr. McCREARY.— Mr. Chairman, I decline to be interrupted any further. I shall not go to the distinguished gentleman from New York for information after the speech he made to-day in regard to the pending bill, for I think my friend does not understand it himself.

Mr. BELMONT.— I am very sorry —

Mr. McCREARY.— I decline to be interrupted any further.

Mr. BELMONT.— Very well.

(Mr. McCreary continued and finished his remarks, at the conclusion of which the committee rose and the House adjourned.)

[SEE DEBATE CONTINUED, FEBRUARY 9, 1887.]

CHINESE INDEMNITY FOR LOSSES SUSTAINED BY MOB VIOLENCE IN WYOMING.

February 8, 1887.

[CONTINUED FROM MAY 12, 1886.]

Mr. BELMONT.— I call for the regular order.

The SPEAKER.— The regular order is the unfinished business, unless the Committee on Foreign Affairs presents some business under the special order for to-day.

Mr. STEELE.— I will raise the question of consideration for the purpose of calling up another special order.

Mr. BELMONT.— The House has assigned this day to the Committee on Foreign Affairs, and I think I shall be within the rules if I call up for consideration the bill S. 2225.

The SPEAKER.— The Chair will state that a House joint resolution relating to the same subject as the Senate bill indicated by the gentleman from New York is in Committee of the Whole House on the state of the Union. But the Senate bill to which the gentleman refers has never been reported back to the House by the Committee on Foreign Affairs.

Mr. BELMONT.— The purpose of the Committee on Foreign Affairs was to take up the unfinished business, being House resolution 147. The committee has instructed me, as its chairman, to call up the Senate bill in its stead. It was my personal opinion that the better method would have been to discuss the Senate bill.

The SPEAKER.— But the Senate bill is still in the Committee on Foreign Affairs. The gentleman from New York has a right to report it now if the committee has agreed to it.

Mr. BELMONT.— I desire first to consider the House resolution; and in order to do that I will ask permission to report the Senate bill now.

The SPEAKER.— The Committee on Foreign Affairs, under the order of the House, has the right to present any measure for consideration over which that committee has jurisdiction.

Mr. BELMONT.— Under the authority of the committee, I report back the bill which I send to the desk.

The Clerk read the title of the bill, as follows:

A BILL (S. 2225) to indemnify certain subjects of the Chinese Empire for losses sustained by the violence of a mob at Rock Springs, in the territory of Wyoming, in September, 1885.

(The bill, in full, reads —

Be it enacted, etc., That the President of the United States shall ascertain the actual loss and damage inflicted upon the person and property of Chinese subjects by the violence of a mob of lawless and riotous persons, at or near Rock Springs, in Wyoming Territory, on or about the 2d day of September, 1885; and for this purpose he may detail such officers of the United States as he may designate, not exceeding three in number, to investigate and take the testimony of witnesses as to the nature and extent of the damage done to the person and property of Chinese subjects, and, in connection therewith, may consider the testimony already taken and reports made, subject to the cross-examination of the witnesses, if deemed necessary, and such other proof as may be submitted to them by the Government of China. They shall report the estimate of the damages sustained by each person, and the testimony, to the Secretary of State, within six months from the approval of this act, which time may be extended not exceeding six months by the order of the President, and the same shall be examined by the Secretary of State; and thereupon the President shall award to each person so injured the sum that he shall consider to be just in view of the evidence and report so presented to him.

§ 2. That the aggregate amount so awarded by the President, not exceeding $150,000, shall be paid by the Secretary of the Treasury, out of any money in the Treasury not otherwise appropriated, to the Envoy Extraordinary and Minister Plenipotentiary for China, at Washington, in full satisfaction and discharge of the injuries to person and property inflicted upon subjects of the Chinese Empire; and the sum of $5,000, or so much thereof as may be necessary, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to be disbursed under the direction of the Secretary of State, to pay the expenses necessarily incurred for traveling or other expenses under the provisions of this act.)

The bill was referred to the Committee of the Whole House on the state of the Union.

Mr. BELMONT.— I now move that the House resolve itself into Committee of the Whole House on the state of the Union.

Mr. STEELE.— I withdraw the question of consideration, because I think that is a bill which ought to be considered.

The motion of Mr. Belmont was agreed to.

The House accordingly resolved itself into Committee of the Whole on the state of the Union, Mr. McMillin in the Chair.

At the direction of the Chairman, the Clerk reread the title of the bill.

Mr. BELMONT.— As I stated to the House a moment ago, I am instructed by the Committee on Foreign Affairs to ask that the bill, the title of which has just been read, be amended by substituting the House joint resoution (H. Res. 147).

The Clerk read the proposed amendment, as follows:

Strike out all after the enacting clause and insert as follows:

That the sum of $147,748.74 be and the same is hereby appropriated out of any moneys in the Treasury not otherwise appropriated, to be paid to the Chinese Government, in consideration of the losses unhappily sustained by certain Chinese subjects by mob violence at Rock Springs, in the Territory of Wyoming, September 2, 1885; the said sum being intended for distribution among the sufferers and their legal representatives, in the discretion of the Chinese Government.

Mr. BELMONT.— I had the honor to introduce this resolution at the last session of Congress, and believe it to be the most direct and creditable way of paying the indemnity. At the same time, to avoid any risk of further delay, I would prefer the adoption of the Senate bill, even in its present form, in order that this whole question might be at once disposed of as speedily as possible without the necessity at this late stage of the session of a disagreement and a conference with the Senate. But, under instructions of the committee, I now ask the House to consider the joint resolution which we had under consideration in May last.

The Committee on Foreign Affairs unanimously reported this resolution, and it also has in its support a special message of the President, with accompanying documents, which have long been before the House. The committee considered the measure of such importance that it was willing to occupy the only two morning hours allotted to the committee during the last session. The general discussion which followed evidently showed a disposition on the part of the House to adopt the resolution. The debate, however, was, as it seemed at the time, unnecessarily prolonged, the time expired for consideration, and the measure is unfinished business to-day, after a long interval.

The delay is very much to be regretted and the interests of the United States have not been benefited thereby. It has been a matter of surprise that such a measure should have been pending so long in the American Congress. But I think it just to the Committee on Foreign Affairs and to the House itself to say that the press of business, the immense number of measures before the House, both important and unimportant, and the difficulty of obtaining consideration under the rules has in reality been the reason for the delay. The Senate, however, comparatively free of such difficulties, has acted. The Senate bill was passed in June.

I do not know that it is necessary again to state to the House the circumstances attending the lamentable affair for which we are now asked to make reparation. On the 2d of September, 1885, there occurred at Rock Springs, in the Territory of Wyoming, the murder of twenty-eight inoffensive and defenseless Chinamen. The House remembers well that the persons engaged in the destruction of property and in the massacre

of these Chinese were, as appears from the evidence, not citizens of the United States. They seem mostly to have been Welshmen and Swedes engaged in work upon the mines. The Chinese themselves were miners, and had lived peaceably alongside of their white competitors for several years, at the same rate of wages, about $3.50 per day. But there occurred a strike for higher pay. The Chinese refused to join in the strike, and for this reason, and no other, they were attacked, twenty-eight of them were killed, a number of others were wounded, and their property was destroyed. Shortly afterward the scene was visited by the Chinese Consul in New York and the Chinese Consul in San Francisco, and, together with United States officials, as is stated in the message of the President, an examination was entered into and an estimate was carefully made in regard to the property destroyed. That estimate is contained in the documents before the House, and it foots up over $147,000, the amount stated in the resolution.

That is to say, the House resolution is for the exact amount estimated as the loss of property sustained, that amount being the basis of the claim made by the Chinese Minister in Washington. It was upon his representation that the message from the President was sent to the House.

If any additional reasons were required to induce us to take action in this matter they would be found in the conduct of the Chinese authorities since this occurrence, and in the face of our delay in passing this measure of indemnity. I can cite two instances which have been made known through our diplomatic agents. In the Chinese city of Kwai Ping, about four hundred and fifty miles from Canton, an American Presbyterian mission was established, under the control of Rev. A. A. Fulton.

On the 4th of May, 1886, after the news had been received of the Rock Springs massacre, placards appeared in public places announcing that the "foreign devils" must go and their houses must be destroyed. A few days afterward a mob of Chinese students and lawless soldiers did destroy the buildings of the American mission. When information of this occurrence was given to our Minister, he at once brought it to the attention of the Viceroy in Canton, and the result was that — I quote from the Chinese communication — "the Kwei Ping magistrate has been ordered to immediately investigate and to adjust satisfactorily and to give protection in reference to this affair."

But a more striking instance is that of the American mission at Chungking. By the seventeenth article of the treaty of 1844, guaranteeing protection to Americans in China, it is provided that the local authorities of the two Governments shall select in concert the sites for the foregoing

public buildings (the habitations and buildings of the Americans), "having due regard to the feelings of the people in the location thereof." Now, these missionaries had not acted in accordance with that provision of the treaty, but had set up their buildings in a locality where they were objectionable to the Chinese. Nevertheless, when the buildings were destroyed, the Chinese authorities took action similar to their action in the case of Kwei Ping, which I have already cited. In connection with this Chungking case I will ask the Clerk to read a communication addressed to the Secretary of State.

The Clerk read as follows:

No. 272.] LEGATION OF THE UNITED STATES, PEKING, *December* 17, 1886.

Sir.— I have the honor to report that the claims of the American missionaries for losses for acts of violence of a mob at Chang-Kiang have been arranged on the basis stated in my dispatch No. 243, of date November 17, 1886. The amount to be paid in taels, 23,000. The information comes by telegraph and we must await the details by mail. It is understood that the missionaries may return to Chang-Kiang, but not immediately.

I have the honor to be, sir,

Your obedient servant,

CHARLES DENBY.

Hon. THOMAS F. BAYARD,

Secretary of State, Washington, D. C.

Mr. BELMONT.— It is not necessary, Mr. Chairman, to refer to the numerous other cases cited in the report where the Chinese Government has paid large indemnities to American citizens. They were fully discussed when this matter was before the House in May last. Nor can I believe that the example which has thus been set by the Chinese Government will have been given in vain; I have no doubt that the House will pass this measure. I shall say nothing more on the subject at present (for I know there are other gentlemen who desire to speak), but will reserve the residue of my time.

Mr. MORROW.— Will the gentleman allow me to ask whether, after this bill has been disposed of, it is proposed to bring forward the bill that also came from the Senate providing amendments to the act restricting Chinese immigration?

Mr. BELMONT.— It is not. The gentleman, of course, will desire to know the reason?

Mr. MORROW.— I do; and I think the House and the country would like to know why you do not propose to place an effective restraint upon the immigration now coming into this country, contrary to the stipulations contained in the existing treaty.

Mr. BELMONT.— The members of the committee, when this matter was before the House last session, declared in almost every instance their opinion that the immigration of Chinese coolies should be prohibited; and I believe that this is their opinion to-day. I do not know how far it would be proper to declare to the House what negotiations there may be pending on this subject; but there have been communications made to Congress which for a time were secret, but from which the seal of secrecy has now been removed, and to those I can refer as indicating the disposition of the Chinese Government; and I can say that nothing has changed in regard to the statements there made by our late Minister to China, Mr. Young. I refer to pages 43, 64 and 65 of Executive Document (confidential), Forty-ninth Congress, First Session. We are assured in this correspondence that the Chinese Government does not desire to embarrass the relations with this country by a continuance of the immigration, and that there is a disposition to modify the treaty to bring about results much more effective than can possibly be accomplished by legislation. Having that in view, the committee do not intend to bring up this matter to-day.

Mr. LONG.— That has nothing to do with the present bill.

Mr. BELMONT.— That has nothing to do with the present bill, excepting it might be said that if Congress should do this act of justice and meet the Chinese Government in this matter in the same spirit in which they have met us it would undoubtedly be much more easy to accomplish what is desired by negotiations, although, of course, there is no desire to make this a condition precedent. The gentleman from California (Mr. Morrow) will see at once that should we press the measure in which he is interested it would retard rather than hasten the very purpose of the legislation which he advocates.

Mr. MORROW.— I do not so understand.

Mr. BELMONT.— I think, perhaps, the House would desire to hear what this communication is. To save time, I will read from it a few lines. Our Minister in 1884 said, among other things:

In my dispatches Nos. 376 and 382, dated respectively March 7 and March 14, 1884, I had the honor to point out the difficulties attending the presentation of any grievance to the yamên arising out of the workings of the act governing the immigration of Chinese laborers to the United States. So far as our information went, there was no evidence to show that the Chinese authorities had connived at any evasion of that treaty. I said, also, that such acts would naturally take place in Hong-Kong or Macao.

It was also my duty to show that the policy of the Imperial Government, so far as the immigration of their people was concerned, was a policy of indifference, if not of direct opposition. This was shown, as I explained in my dispatch No. 392, dated March 24, 1884. The Chinese authorities at Canton had gone so far in

their restrictions upon immigration as to compel the bankruptcy of one of the most prominent houses in China.

Mr. MORROW.— I would like to ask the gentleman what the House is to infer from what he has said respecting an agreement between this Government and China in regard to immigration?

Mr. BELMONT.— I would be very careful not to overstep what I consider a proper statement. I can assure the gentleman that negotiations have been completed, but he must himself know from observation and from the interest he has taken in the question that there is every reason to suppose that negotiations are pending and will be successful.

Mr. MORROW.— That has been the promise for years; it has been so ever since this question has been under discussion.

Mr. BELMONT.— I think, Mr. Chairman, the House will appreciate the gentleman's remarks. He intimates that there have been assurances and negotiations for some time past without performance. But, undoubtedly, one of the main difficulties in the way of a modification of the treaty has been the constant legislation, ineffective legislation upon the subject, and the attempts at legislation in violation of the treaty, which must always receive the veto of the President, and which have for their principal result the embarrassment of the treaty-making power.

Mr. MORROW.— The difficulty, Mr. Chairman —

Mr. BELMONT.— I do not think I can yield any further. I will reserve the remainder of my time.

Mr. PHELPS.— Mr. Chairman, the question connected with the restriction of Chinese immigration in this country has nothing to do with the question of paying indemnity for the wrongs we did to the Chinese two years ago in the massacre at Rock Springs.

Mr. BELMONT.— If my friend will allow me, I wish to state that I entirely agree with him on that point. I would not like anything I have stated to create a different impression.

(Messrs. Phelps, Cox, of North Carolina, McCreary, Daniel and others addressed the House.)

Mr. BELMONT.— Mr. Chairman, it seems to me the time has arrived when the House should impose a limit to debate on this question. If there is no desire for further discussion I will move that the committee rise and report the bill to the House.

The committee adopted the substitute, rose and reported to the House.

The House thereupon accepted the substitute or original resolution of Mr. Belmont, as an amendment to the Senate bill, and the bill, so amended, was passed.

SPEECH ON ARBITRATION AND COMMERCIAL RELATIONS BETWEEN AMERICAN COUNTRIES.

February 8, 1887.

THE HOUSE HAVING UNDER CONSIDERATION BILL (H. R. 7267), AS SET FORTH BELOW —

Mr. BELMONT said:

I regret extremely that I am unable to concur with my associates on the Foreign Affairs Committee who advise the House to accept and pass the bill H. R. No. 7267, which requests the President to invite the several governments on this continent therein named to join this Government in a conference, and authorizes the President to appoint three commissioners who shall attend the conference on behalf of this Government, and appropriates $20,000 therefor. The objects and aims of the conference, as vaguely mentioned in the bill, are threefold. One is to discuss and recommend for adoption by this Government, and each of the other governments, some plan of arbitration for the settlement of disagreements and disputes hereafter arising between them. Another is to consider questions relating to the improvements of business intercourse between "said countries." A third is to encourage such peaceful and reciprocal commercial relations as will be beneficial to all, and secure more extensive markets for the surplus products of each of said countries.

If the bill shall become a law this Government will, as befits its dignity and power on this continent, be the initiator of the conference, and will naturally be considered by the participating nations as the one to take the lead in formulating the propositions to be considered by the conference. I have seen no indication that the President has suggested or advised the proposed conference, and if such a conference is to be convened by his invitation, on the request of Congress, then the promoters in Congress should, as it seems to me, define, with reasonable precision, not only the objects to be sought by those representing this Government in the conference but the ways and means by which those objects are to be obtained, including, in the outline, the concessions which our law-making power, as distinct from our treaty-making power, might be willing to make.

If the conference were proposed by other governments, as was the congress in Panama in 1826, or if the President had initiated the conference now proposed, and had asked the sanction of the Senate by the confirmation of commissioners, and of the two Houses by an appropriation of money therefor, then the President could be assumed to be in possession of, or to have formulated, the measures to be proposed at the conference, and the stipulations which, if inserted in a treaty, he would be willing to sign and transmit to the Senate for its action. But, in the present case, the initiation of negotiations to be carried on by the President comes, so far as I am informed, entirely from the House. If the conference should convene under the proposed bill, and the assembled powers were to ask our commissioners for an outline of their plan as regards the three topics, what reply should the President instruct them to make?

ARBITRATION.

The first topic in the bill is arbitration. It proposes that the conference shall discuss, and recommend, "some plan." What plan? Which "disagreements and disputes" are to be submitted to arbitration? What sort of arbitration? Those are problems concerning which the President should, by the bill, be advised, or else most inconvenient consequences might flow from a rejection by the Senate, or Congress, of a plan or system of arbitration which had been adopted by the conference on the initiation and advocacy of our own commissioners.

What is arbitration, as understood in international intercourse? Vattel defines it to be "a reasonable and natural mode of deciding such disputes as do not directly affect the safety of the nation." The exclusion contained in this definition is most important. It is believed that during the century and a quarter which has intervened since this definition was written, no powerful government has consented, or indicated its willingness to consent generally to the reference to an arbitration, either by neutral governments or by commissioners, of any but secondary questions, such as claims for pecuniary compensation for injuries, questions of boundary lines, disputes over the interpretation of treaties, and other similar questions. Wars have been prevented by the mediation, or good offices, of some friendly government or governments, but the exercise of mediation, or of good offices, is rather a method of conciliation than of arbitration, which last implies the power of definite and final decision.

The United States, ever since the organization of their National Government, and notably in the treaty of peace of 1783, have frequently used with great success arbitration as a method for the settlement of secondary

questions. The Plenipotentiaries to the Congress of Paris of 1856, in their twenty-second protocol, express in the names of their governments the wish that the States, between whom serious difficulties may arise, would, before appealing to arms, have recourse, as far as circumstances will admit, to the good offices of a friendly power. But there again the exceptions "as far as circumstances will admit," and the employment only of good offices (which last is often a simple formality to bring the contending parties together) as distinct from arbitration, which pronounces a real obligatory judgment, are significant.

It may be said that the international tribunal at Geneva was the submission by this Government of a question too important to be called a secondary question, but it is to be remembered that it was by the result of negotiations by the Joint High Commission at Washington that the "three rules" were formulated, which left little to be done at Geneva, excepting to ascertain the facts, apply the rules, and assess the damages. It was the decision of the British Government that war ought not to come out of the "Alabama claims" which led up to the Joint High Commission, which in turn created the tribunal at Geneva.

The bill reported to the House gives no indication of the class of "disagreements and disputes" which this Government will consent to refer to arbitration. Will the United States consent to confer on any tribunal the power to adjudge the cessions of territory by us, or the demolition of our fortifications, and to decree anything and everything to be done by us which, according to the present usages of international law, may be imposed upon a defeated nation by its victors in war? Probably not, and, if not, then precisely what class of questions will the United States say may be referred to arbitration? If arbitration is to be a complete substitute for war, then it would seem essential that the jurisdiction of the arbitrators shall cover all "disagreements and disputes" which may possibly lead to war. When a commotion or insurrection or civil war is, to the great possible injury of a neighboring nation, on the point of breaking out within any one of the nations to participate in the conference, shall the origin of the outbreak, and the claims of the contending parties, be submitted to arbitration, or shall the sphere of arbitration be limited to questions which, according to existing international usage, are capable of constituting legitimate causes of war? Will the United States consent to submit to arbitration a decision of the question whether or not this Government shall make an apology to some other nation?

Assuming the proposed bill to be so enlarged and amended as to declare definitely the class of questions which this Government may declare to the conference that it is willing, in behalf of itself, to submit to arbitration, then what international machinery shall be provided on this continent to ascertain the facts which underlie the dispute, and give judgment? Shall this international organization, for the settlement of "disagreements and disputes," be of a permanent character, with authority to take immediate jurisdiction without waiting until the parties concerned mutually agree to submit to arbitration? Is there to be on this continent a permanent congress of nations, or a new international nation? Are the several independent nations on this continent to form themselves into a federation for the purpose of arbitrating disputes between themselves? If this congress of nations is not to be in perpetual session, then by whom is it to be convened in order to deliver its judgment upon "disagreements and disputes" tending to disturb the peace of the continent? As our own thirty-ninth Government, which is the Federal Government at Washington, clasps and enfolds the thirty-eight State Governments in the union of States, and as is intended to settle disputes and prevent war between them, shall there be a new international nation on this continent, with a congress, a court, and an Executive, to settle disputes and prevent war between the several nations?

What limitation shall be placed upon the nature of the award and judgment which this international tribunal may make?

And when the proposed bill has been amended so as satisfactorily to answer these questions, then will come the other question, whether the decisions of this new international tribunal on this continent shall have only a moral authority, or provision shall be made for the physical enforcement of the verdict. Is the new contrivance to be, in the first place, an appeal from force to reason, and then, if reason does not prevail, an appeal back again from reason to force? If there is to be armed force behind the decision of this new board of arbitration, how shall this force be maintained, who shall command it, and what shall be the limit of international expenditure therefor?

If it be said that the proposed bill only contemplates an effort to concert measures between the independent governments on this continent to exercise a moral authority between nations where "disagreements and disputes" unfortunately arise, and thus settle them in an amicable and satisfactory manner, it may be said that this Government has already given ample indication that such is its wish. But if, on the other hand, a chief object of the proposed bill is to urge the several governments of

the Republics of Mexico, Central and South America to agree on "some plan of arbitration for the settlement of disagreements and disputes that may hereafter arise between them," but which do not directly concern this Government, then it will deserve consideration whether uninvited by those governments, or either of them, it will be prudent for this Government to thus attempt to participate in the mutual relations of other independent governments on this continent, and whether, if we do thus endeavor, we shall not thereby enter upon a field of effort from which hitherto our well-established policy and the warning voice of Washington have excluded us.

Arbitration as a means in the affairs of individuals of obviating the necessity of recourse to courts of law, or in the affairs of nations of preventing the arbitrament of the sword, has much to commend it. Courts of conciliation are scarcely less effective and benevolent than courts of arbitration, whether in individual or international affairs. But, before the proposed bill shall become a law, ought not Congress to define the circumstances and conditions under which the decision of the arbitrators shall not be binding? Surely an independent government can not be expected to be bound if the arbitrators are incapable (as perhaps this Government had reason to suspect in its latest arbitration of the fishery question); or if the arbitrators acted in bad faith; or if the contending parties have not been misunderstood; or if the award shall have been in excess of the terms of the reference; or if the decision shall have been contrary to natural justice. These questions and others like them will naturally come to the front on the assembling of the proposed conference, and our commissioners will naturally ask for instructions from the President. The law which initiates the Congress should, as it seems to me, clearly intimate to the President its opinion.

In July, 1873, Mr. Gladstone said in the House of Commons that a general and permanent system of arbitration would make practical progress, not by attempting permanent international concert, which would then be premature, but by "a steady adherence on the part of those powers who are readily inclined and convinced and persuaded, on the subject to principle, first governing themselves by justice and moderation, and next losing no opportunity of recommending a peaceful settlement of disputes between nations."

IMPROVEMENT OF "BUSINESS INTERCOURSE."

The second topic to be discussed by the conference concerns "the improvement of business intercourse between said countries." And here,

again, what is to be accomplished by the President in that direction seems rather vague and difficult to practically deal with. Does the "improvement of business intercourse between said countries" imply and include the improvement of the means of transportation by land and by sea? Does this Government intend to commit that large problem to an international conference, and to hold out the expectation to the governments participating in such conference that this Government will be bound by the result of the deliberations? Or, if not, then should there not be in the bill a limitation and definition of the subjects relating "to the improvement of business intercourse between said countries," concerning which a conference is invited?

MARKETS FOR SURPLUS PRODUCTS.

The third object of the proposed conference is declared in the bill to be the encouragement of "such peaceful and reciprocal commercial relations as will be beneficial to all and secure more extensive markets for the surplus products of each of said countries." It is to be inferred from this language that one of the objects which this Government seeks to promote is the obtaining of "more extensive markets for the surplus products of Mexico, Brazil and the States of Central and South America." It is not to be assumed that this Government will initiate a conference between themselves and the other governments on this continent in order to monopolize for ourselves the purchase of "the surplus products of each of said countries." It is not to be assumed that either of those countries will undertake to sell its surplus products to none else but ourselves. The purpose is, on the contrary, declared to be such "reciprocal commercial relations" as will secure more extensive markets for the surplus products of each. Whether or not all who dwell on this western hemisphere, or even we of the United States of America, would be more prosperous and better off if all commercial relations with the eastern hemisphere were prohibited or prevented is, of course, a very large question.

But so long as the people and the governments on this continent which are at the south of us shall find on the other continent, and not find on this continent, the surplus capital and money which they need, it will not be reasonable for us to hope that Mexico, Brazil and the Republics of Central and South America will cease to hold commercial intercourse with Europe, or that European holders of the indebtedness of those States will cease to exercise very potential influence in their affairs, and

in the end control, it is feared, any conference to be assembled under the proposed bill. There is no danger that the primacy of the United States of America upon this continent, which comes of their situation, population, wealth, enterprise, energy and determination to assert their rights, will be questioned or denied.

But it is true, nevertheless, that we seek an outlet for the surplus product of our skill and our prosperous labor, and for that reason we should welcome the enlargement of "such peaceful and reciprocal commercial relations" between us and the Spanish races to the south of us. For the same reason we should encourage similar "peaceful and reciprocal commercial relations" with the five millions or more of people of our own race, speaking our own language, reading our newspapers, and living under laws and political institutions similar to our own. And for the same reason we should encourage "peaceful and reciprocal commercial relations" with the people who inhabit the islands of the Gulf of Mexico and the surrounding seas, which islands are now the colonial dependencies of European governments. But the Dominion of Canada to the north of us and the islands of the gulf to the south of us are excluded from the arrangements contemplated in the proposed bill.

Nothing is now so desirable for our own people as a free and reciprocal interchange of products between ourselves and the people of other nations on this continent. But what now hinders such free interchange so much as our tariff laws? If this Government shall invite Brazil, Mexico and the Republics of Central America and South America to join us in a conference to promote such free and reciprocal interchange of products, what concessions in our tariff schedules is the President to be authorized to instruct our commissioners to propose on our part? The question of our own tariff will naturally and immediately come up for discussion and consideration. Shall, for example, our commissioners be authorized to offer to the Argentine Republic to admit its wool into our ports free of duty?

No one can be more sensible than I am of the great advantages which in our country flow from that free commercial intercourse, unvexed by tariffs or custom-houses, which the Federal Constitution secures. I wish by some possible and wise contrivance, those advantages now enjoyed by and between Maine and California, Florida and Alaska, could be realized by and between every nation and every producer on this hemisphere from Baffin's bay to Cape Horn. But is this Government now in a condition to successfully ask in a diplomatic way the accomplishment of such a result? To use Mr. Gladstone's language, should we not first

of all begin to govern ourselves in tariff matters with "justice and moderation?" And then, too, does opinion in this House tend to tolerate a reform or protective system by treaties? What is to be the fate of the Sandwich Islands treaty and Mexican treaty? Is there not a disposition against the sugar arrangements of the Hawaiian Islands treaty to even sacrifice the great political and naval advantages which that treaty gives to us, situated as these islands are in the track of traffic between California and China, Japan and Australia?

And if we can not successfully compete in our own jurisdiction with foreign manufacturers, excepting by the aid of prohibitory or impending tariff rates, I am at a loss to understand how our commissioners to the proposed conference can convince Mexico or Brazil or the Republics of Central and South America that we can, in their jurisdiction, compete successfully against those same manufacturers and offer our products at cheaper prices than European manufacturers can offer similar articles.

So far as this bill (7267) endeavors to accomplish an increase of trade by the exchange of products between the people of our own United States and the people living under other governments on this continent (including the colonies hereon possessed by European governments) the object is one which deserves encouragement and success, but it may well be doubted whether such an object can be best promoted by international conferences and treaty stipulations. So far as the welfare of our own Government is concerned, it is to be feared, as I have already said, that the deliberations of an international conference between the representatives of this Government and of other independent governments established and having the seat of authority on this continent, would be in danger of injurious interference, so far as this Government is concerned, by the intrigues of those in Europe who are the holders of so large a part of the indebtedness of Central American or South American States.

It is true that the trade and commercial intercourse now existing between foreign peoples on this continent and other peoples are not altogether carried on with ourselves. The following statements will exhibit the population of the independent States on this continent, including the colonial Dominion of Canada, and the relation of trade carried on by them with the United States to the trade carried on by them with Great Britain, and the vessels in which it is carried on.

Until there shall be a reform of our own laws of currency and taxation, and a plan adopted that promises permanency, there will be, it is feared, little hope of a successful result of diplomatic negotiations with the neighboring governments on this continent looking to an increase of trade and

commercial intercourse by them with ourselves. What reply could our representatives make to-day when asked what our policy about currency and taxation is to be? The theory of our existing tariff legislation is that our own manufacturers can only be saved alive against foreign competition by preventing, through a custom-house tax on nearly every completed manufacture, our own people from buying a similar fabric in a foreign country. That tariff legislation has, it is believed, created the very evil which the proposed bill and one of the proposed joint resolutions would endeavor to remove.

Statement Exhibiting the Population of the Independent States on this Continent, including the Colonial Dominion of Canada, etc.

	Argentine Republic.	Brazil.	Central America.	Chili.	Colombia.
Population	2,406,000	10,108,291	2,900,000	2,400,396	2,951,323
Exports to Great Britain	$5,793,965	$23,507,165	$6,526,950	$12,977,465	$2,166,380
Imports from Great Britain	29,692,295	33,946,215	4,624,560	11,060,880	6,107,645
Exports to United States	4,328,710	45,263,660	6,409,001	604,525	2,342,007
Imports from United States	4,317,293	7,317,293	2,702,531	2,211,007	5,583,368

	Mexico.	Peru.	Venezuela.	Uruguay.	Dominion of Canada.
Population	9,389,461	3,050,000	2,075,245	447,000	4,750,000
Exports to Great Britain	$3,502,500	$10,414,170	$1,300,565	$3,283,625	$45,558,555
Imports from Great Britain	5,415,765	6,235,685	3,028,680	8,131,640	44,727,095
Exports to United States	9,267,021	1,764,890	6,309,580	2,734,617	39,000,000
Imports from United States	8,340,784	742,105	3,043,609	1,682,443	50,000,000

Total Values of Free and Dutiable Merchandise Imported into the United States from Mexico and Central and South America during the Year ending June 30, 1885, with the Estimated Amounts of Duty Collected on such Imports.

COUNTRIES FROM WHICH IMPORTED.	Value of Merchandise			Estimated amounts of duty collected.
	Free of duty.	Dutiable.	Total.	
Argentine Republic	$3,154,337	$1,174,173	$4,328,510	$364,933 28
Chili	399,464	205,061	604,525	68,386 89
Mexico	5,173,441	4,093 580	9,267,021	635,960 72
Central American States	6,149,873	259,142	6,409,015	140,759 88
United States of Colombia	2,335,083	6,994	2,342,077	1,714 68
Venezuela	6,267,887	41,693	6,309,580	20,297 40
Peru	1,749,632	15,258	1,764,890	5,148 06
Brazil	38,136,191	7,127,469	45,263,660	6,607,377 15
Uruguay	2,317,139	417,478	2,734,617	255,480 80
Bolivia, Ecuador, Paraguay and Patagonia	753,321	280	753,601	140 00
Totals	$66,436,368	$13,341,128	$79,777,496	$8,100,198 86

	Per cent.
Total value of merchandise free of duty	83.28
Total value of merchandise subject to duty	16.72
Equivalent *ad valorem* rate of duty on —	
Dutiable merchandise	10.15
Free and dutiable merchandise	60.72

Statement showing the Value of Imports and Exports of Merchandise Carried in American and Foreign Vessels, respectively, in the Foreign Trade of the United States with Mexico, Central America, the West Indies, and South America, during the Year ending June 30, 1885.

COUNTRIES.	Imports.		Exports.		Total.	
	In American vessels.	In foreign vessels.	In American vessels.	In Foreign vessels.	In American vessels.	In foreign vessels.
Mexico*	$3,748,890	$2,841,767	$4,799,254	$1,560,359	$8,548,144	$4,402,126
Central American States and British Honduras	$4,915,347	$1,712,028	$2,377,733	$754,551	$7,293,080	$2,466,579
THE WEST INDIES.						
Cuba	$28,975,822	$13,330,271	$8,074,752	$931,408	$37,050,574	$14,261,679
British West Indies	2,560,874	7,802,507	2,589,694	4,621,185	5,150,568	12,423,692
Porto Rico	2,590,135	3,514,128	691,113	878,092	3,281,248	4,392,220
Hayti	626,464	1,844,972	1,080,286	2,227,021	1,706,750	4,071,993
San Domingo	1,311,746	149,673	937,566	49,135	2,249,312	198,808
French West Indies	449,654	727,861	752,205	666,768	1,171,859	1,394,629
Dutch West Indies	233,479	153,189	440,463	226,379	673,942	379,568
Danish West Indies	169,275	167,028	435,836	150,323	605,111	317,351
Total	$36,887,449	$27,689,629	$15,001,915	$9,750 311	$51,889,364	$37,439,940
SOUTH AMERICA.						
Brazil	$10,108,298	$35,155,362	$3,681,883	$3,635,410	$13,790,181	$38,790,772
United States of Colombia	774,597	1,567,480	4,917,069	666,300	5,691,666	2,233,780
Venezuela	4,357,892	1,951,688	2,128,394	915,215	6,486,268	2,866,903
Argentine Republic	3,338,446	990,064	2,543,715	2,132,786	5,882,161	3,122,850
Uruguay	49[illegible],594	2,238,023	382,402	1,300,041	878,996	3,538,064
Chili	290,342	314,183	1,581,687	629,320	1,872,029	943,503
British Guiana	390,309	531,045	875,896	764,771	1,266,195	1,295,816
Peru	811,245	933,645	511,585	230,520	1,322,830	1,184,165
Dutch Guiana	258,212	7,127	277,364	21,654	535,576	28,781
French Guiana	1,803	....	81,184	29,660	82,987	29,660
All other South America	558,224	195,377	383,740	44,271	941,964	239,648
Total	$21,385,962	$43,903,994	$17,364,909	$10,369,948	$34,750,871	$54,273,942
Grand total	$66,537,648	$76,147,418	$36,725,728	$22,435,169	$102,590,850	$98,582,587

* In addition to the merchandise stated as imported and exported in vessels, merchandise to the value of $2,676,364 was imported, and merchandise to the value of $1,981,171 was exported "in cars and other land vehicles."

One of the difficulties with which we in the United States have now to contend is that, by reason of our present tariff laws, we can not in our own workshops compete with European manufacturers, notwithstanding the great advantage we have from the efficiency of better-paid and better-educated labor. So long as such tariff laws shall be maintained, it is not believed that any diplomatic negotiations will enable the United States to do in the Dominion of Canada, or in Mexico, or in Central America, or in South America, what we can not do at home — which is to compete with European manufacturers. Freedom to buy in these communities we now have, and we can enlarge its use to any degree, but freedom to sell to those communities we can only enlarge by producing equally good articles which we will sell at least as cheaply as our European competitors.

All schemes whatever for retaining a protective system and gaining foreign markets are impossible of success, no matter how many railways

we may build or steamships we may subsidize. It will be seen from the statistics already given that a large part of the products of our neighbors to the south of us are now admitted at our custom-houses free of duty, but the difficulty of increasing the exports of our manufactured products to those countries remains, because our protective tariff inflicts what, owing to the increased cost of manufacture, is in effect an export tax upon our products, which frustrates the efforts of our enterprising and inventive people to have more complete possession of the neighboring markets upon this continent.

The annual report of Secretary Manning to Congress, and his subsequent communications on currency, taxation and tariff reform, together with the recent report of the Bureau of Labor, clearly indicate how and when a removal of the existing business depression is to come. A rehabilitation of silver, and a restoration of the old price of that metal by open mints for all comers bringing gold or silver; free coinage of full legal-tender coins of both metals on an international ratio contemplated by the second section of Mr. Bland's law of 1878, and endeavored to be promoted by Secretary Bayard; a sound system of finance; and a wise adaptation of the burden of taxation to the back that must bear it, will do more to open markets for our products in South America than will any diplomatic negotiations to be carried on by the President, and should precede such attempted negotiations.

Mr. McCREARY.— I have promised to give five minutes to the gentleman from New Jersey (Mr. Phelps) and five minutes to the gentleman from Pennsylvania (Mr. Curtin).

Mr. BELMONT.— I believe I had the floor. This evening is set apart for tributes to the memory of deceased Representatives of the State of New York. We can not get through with the bill before five o'clock. I ask general permission that gentlemen have leave to print in the Record remarks on this bill.

Mr. MORRISON.— I object. I will not object to leave being granted to individual members who desire it, but I object to this wholesale permission.

Mr. DANIEL, and Mr. COX, of North Carolina, asked permission to print remarks in the Record upon the pending bill.

There was no objection.

Mr. McCREARY.— I yield five minutes of my time to the gentleman from New Jersey (Mr. Phelps).

Mr. BELMONT.— I believe I have the floor. It appears to me it is about time the committee should rise.

Mr. REED.— Let the question be submitted and let the committee dispose of it.

Mr. BELMONT.— I withdraw my motion that the committee rise and yield to my colleague on the committee, the gentleman from New Jersey (Mr. Phelps), five minutes.

At the conclusion of Mr. Phelps's remarks, on motion of Mr. Belmont, the committee rose and reported to the House that it had come to no resolution on the bill under consideration.

DEBATE ON CONSULAR AND DIPLOMATIC APPROPRIATION BILL.

February 9, 1887.

[CONTINUED FROM FEBRUARY 5TH.]

The House, on motion of Mr. Belmont, resolved itself into the Committee of the Whole, to consider the consular and diplomatic appropriation bill.

(Messrs. Lore and Cannon addressed the committee at length on the general provisions of the bill.)

Mr. CANNON.— * * * And now the Committee on Foreign Affairs reports a bill — to do what? Why, to enable you to take two $1,600 clerks, throw the salaries together, making $3,200, and employ one man at $3,200, when Congress supposed it was appropriating for two at $1,600 each.

Mr. BELMONT.— Will the gentleman permit me a remark?

Mr. CANNON.— Yes, sir.

Mr. BELMONT.— The criticism which the gentleman from Illinois makes is applicable to only a portion of the bill. It is not applicable to that portion which concerns the consular system.

Mr. CANNON.— I am not speaking now of the consular system.

Mr. BELMONT.— I thought the House might have misunderstood the gentleman.

Mr. CANNON.— Oh, no. I am speaking of that portion of the bill which the Committee on Foreign Affairs have reported without ever having the matter committed to them to investigate and report upon.

Mr. BELMONT.— Will the gentleman permit me? I will state to the House the committee did report this provision with a great deal of doubt. It was only upon the request of the Assistant Secretary of State, Mr. Porter, who visited the committee and made an earnest appeal. I think that this particular item is certainly amenable to a point of order, and it was not at any time supposed it would go through without the point being made. But I would remind the House again that the provision does not refer in any particular to the consular service or the diplomatic service. It refers only to the clerks in the State Department.

Mr. CANNON.— Since the gentleman from New York has stated, for the purpose of absolving his committee from the responsibility of seeking to revive a law in this left-handed manner, that it was done at the request of the Department of State, let me say, when a department, if that be true, seeks legislation of this kind, it has a tendency to weaken my confidence in its judgment as to some other portions of the bill.

Mr. BELMONT.— Will the gentleman permit me again?

Mr. CANNON.— Certainly.

Mr. BELMONT.— The purpose of this provision is very clear, whether it is amenable to a point of order or not. It is simply that the department might employ a clerk of greater ability and better qualified without asking Congress for any increased appropriation. That is, it gives one clerk the salary now given to two. It is a question whether the House is willing to follow this recommendation, but the committee thought it only right to present it for the consideration of the House.

Mr. CANNON.— * * * On page 5 of the bill, I find, under the head of "contingent expenses for foreign missions," provision made for "stationery, blanks, record and other books, seals, presses, flags and signs for the several legations; also for rent, postage, telegrams, furniture, messenger service, clerk hire, compensation of interpreter, guards, and Arabic clerk at the consulate of Tangier, and the compensation of dispatch agents at London, New York and San Francisco, and for traveling and miscellaneous expenses of legations;" and what else? Why, in the same connection, immediately following these "contingent expenses for foreign missions," I find this: "And for printing in the Department of State, $105,000."

The Committee on Foreign Affairs has no jurisdiction to report that clause for printing in the Department of State.

Mr. BELMONT.— I think that this time my friend is mistaken in his criticism.

Mr. CANNON.— I may be.

Mr. BELMONT.— I think it is a very important point that the State Department should be furnished with this facility as well as the other departments. Only within a few days the committee has received some important correspondence which was printed in the department. While my friend's criticism upon the other section of the bill may be well founded, the committee will defend every other portion of the bill, and, I think, successfully.

Mr. CANNON.— Now, Mr. Chairman, having said that, I will go on to say that the matter of printing in the Department of State was not in the estimates referred to this committee. It is true that it was in the

diplomatic bill of last year, but it was not committed to that committee. It was referred to the Committee on Appropriations, the same as the estimates for clerks and contingent expenses of the department here, and was investigated by the Committee on Appropriations. It may be that this is a very proper expenditure to make, but I recollect that the Committee on Appropriations thought it was not, because we already have a great Government printing office here in Washington, and for some years past that committee has not recommended the establishment of branch Government printing offices in the various departments.

Mr. BELMONT.— It has been the practice of the State Department hitherto to have its documents printed in the other departments, and this is a very detrimental practice, because there are many communications that should be kept secret for a time. It is intended to secure the secrecy of documents which ought not to be made public, and which, if they are printed and kept secret, can be printed only in the department.

After further debate the committee rose without coming to any resolution in the matter.

[DEBATE CONTINUED, FEBRUARY 10, 1887.]

Mr. BELMONT.— I move that the House resolve itself into the Committee of the Whole House on the state of the Union to consider general appropriation bills.

Mr. HOLMAN.— I suggest to the gentleman from New York to indicate some time when general debate on the pending appropriation bill will be closed. I would suggest two hours as the time.

Mr. BELMONT.— So far as I am concerned, I considered at the outset of the debate we might easily have got through the bill in one legislative day. Now, however, gentlemen who have spoken on the bill have so misunderstood its provisions, I think it absolutely necessary the House should give some attention to it. I demand the previous question on my motion.

Mr. DUNHAM.— I ask a parliamentary inquiry.

The SPEAKER *pro tempore*.— The gentleman will state it.

Mr. DUNHAM.— How much time have gentlemen taken up on this question?

Mr. BELMONT.— There has been time enough to give the House false impressions. The increase over last year's appropriation is but a little over $40,000.

Mr. DUNHAM.— As I understand, they have already occupied a good part of two days. Now, at this stage of the session, I do not think the House ought to give any more time to a discussion of this kind.

Mr. HATCH.— Will the gentleman from New York submit a proposition to limit debate? Fix some time at which the debate shall close.

Mr. HOLMAN.— I trust the gentleman will consent to some limitation. Other bills are pressing.

Mr. BELMONT.— Mr. Speaker, I will ask that the debate be closed in two hours and a half.

Mr. DUNHAM.— I move to amend by making it fifteen minutes.

The SPEAKER *pro tempore*.— The Chair will state, in answer to the gentleman from Illinois, that two hours and thirty minutes have already been consumed in general debate upon the bill.

The amendment was rejected.

The motion of Mr. Belmont was adopted and the House resolved itself into the Committee of the Whole.

(Messrs. Allen, of Mississippi, Hitt, Clements, Stone, of Missouri, and McCreary addressed the committee.)

Mr. BELMONT.— Now, Mr. Chairman, I desire to say to my colleague on the committee, from Kentucky (Mr. McCreary), who has furnished a tabulated statement of his views to the House, which has remained unanswered in the Congressional Record for several days for the consideration of members, that while I appreciate the industry and sincerity with which he has approached this question, I can not but believe he has been greatly misled. He has referred to the report of the Fifth Auditor of the Treasury for the fiscal year as establishing the statements he has put in the Record with regard to the compensation paid to and the fees collected by the officers he has named. I will meet him on that ground, and I think I can show conclusively to the House that the gentleman is mistaken both as to his facts and his figures.

The Fifth Auditor's report, it is true, is a very confusing report and it is natural that a gentleman, in looking over its columns, should make mistakes in his calculations, and yet it would seem —

Mr. McCREARY.— I am willing to agree that I do make mistakes, but the gentleman will also admit that he makes mistakes.

Mr. BELMONT.— I decline to yield. It would seem that there is no room for mistake here; and while I appreciate the trouble of my colleague in the preparation of these tables, still, I do think it strange that a member of this committee, a committee which has not only during this

session but during the last Congress, given its special attention to the diplomatic and consular service, which has reported two bills previously to the House, one for a complete reorganization of the service on a salaried basis, a bill which was certainly before that gentleman for consideration, and to which he agreed, for we made a unanimous report upon the subject —

Mr. McCREARY.— When?

Mr. BELMONT.— During the last session.

Mr. McCREARY.— I agreed to that report.

Mr. BELMONT.— And I think it very strange, therefore, that this gentleman, a member of the committee, should now furnish the House with a table — I only now speak of the last table published with his remarks in the Record of Sunday last, the 6th instant, where he mentions:

Salaried consulates proposed at places where there are now consular agents.

And gives a list of nineteen alleged consular agents (many of them not so) beginning with Reichenberg (which is a feed consulate), and under the head of "salary for 1886" proceeds to state figures, ranging from $48.50 to $1,000, as the "salaries" paid these officers in 1886.

Now, the gentleman from Kentucky is a member of the Committee on Foreign Affairs, and should know, after the attention we have given to this subject, that no consular agent in 1886 received any "salary." Consular agents are paid by fees, which they collect and retain.

Mr. McCREARY.— I am talking of the present.

Mr. BELMONT.— But the committee will see that the table is misleading, for it gives a list of "salaries." For instance, at Farnham, the "salary" is put at $48.50! Who could imagine that such should be the salary of a Consul? The gentleman from Kentucky should have put in that column, at its head, "fees," but he puts "salaries," and the House can, therefore, see the value of the other tables which have been presented by him.

I have made an estimate of the overstatement in regard to increases. In the first table (and I shall ask permission to insert in the Record a tabulated statement covering the entire subject) — in the first table there is an overstatement of $10,400 in the actual increase of compensation proposed by the bill as to the Consuls enumerated in the table of Mr. McCreary. In his first table the amount of extra compensation to Consuls actually proposed by the bill is overstated $10,400, as I will presently show. There is an understatement of $2,758.50 in the amount of fees collected at the consulates enumerated in his second table. In table 3 there is an understatement of $15,114.56 in the consular receipts

of the consulates named, and table 4 is incorrect as to facts and figures in nearly every item, the figures being taken from the wrong tables, as I have already stated, and I trust —

Mr. McCREARY.— Let me interrupt the gentleman a moment.

Mr. BELMONT.— I decline to yield.

Mr. McCREARY.— I would like to show where the gentleman himself is mistaken.

Mr. BELMONT.— I will not yield. And if the gentleman will take the trouble to carefully read these tables in the Record to-morrow morning, with the comments and explanations I will make in respect to them, they will only do simple justice to the committee, for the tables will explain why it is that a member of the committee should have come in here —

Mr. McCREARY.— I am perfectly willing they should read them.

Mr. BELMONT.— And mislead the House of Representatives.

Mr. McCREARY.— Mr. Chairman, I want to say this —

Mr. BELMONT.— I decline to yield.

Mr. McCREARY.— If the gentleman means to say that I purposely misled the House, his statement is not true.

The CHAIRMAN.— The gentleman from New York declines to be interrupted.

Mr. BELMONT.— I decline to yield to the gentleman. I have no doubt that my colleague on the committee is perfectly sincere, as I stated at the outset, in his criticisms; but he is as mistaken as he may be sincere.

Mr. McCREARY.— I am willing to go to the country on my figures.

Mr. BELMONT.— I ask that the tables and explanatory notes I now hand in may be incorporated in the Record.

TABLE I.— OVERSTATEMENT OF INCREASE.

[Extracts from table headed "Consular service increase" (Congressional Record, February 6, 1886, page 1539), presented in Mr. McCreary's speech.]

CONSULATES.	Present salary.	Proposed salary.	Increase.
Birmingham	$2,500	$3,000	$500
Bremen	2,500	3,000	500
Chemnitz	2,000	3,000	1,000
Nottingham	2,500	3,000	500
Aix-la-Chapelle	1,500	2,500	1,000
Nuremberg	2,000	2,500	500
Cardiff	2,000	2,500	500
Hamilton	2,000	2,500	500

CONSULATES.	Present salary.	Proposed salary.	Increase.
Leeds	$2,000	$2,500	$500
Quebec	1,500	2,000	500
Cadiz	1,500	2,000	500
Total	.....	.....	$6,500

COMMENTS.

This table, as printed in the Record, is substantially taken from the committee's report, page 5, with this difference: The explanation given in that report, at page 3, that the apparent increase at many of the consulates changed in grade was only apparent, is not given. In each of the above-enumerated consulates the increase of salaries is in compensation for fees from agencies withdrawn. The details are given in appendix to the estimates, pages 269, 270 and 271, as follows, and are now put in tabular form for convenience of comparison:

CONSULS.	Present compensation, including fees from agents.	Proposed salaries with agencies taken away.	Decrease in actual compensation
Birmingham	$3,300	$3,000	$300
Bremen	3,300	3,000	300
Chemnitz	3,000	3,000	.....
Nottingham	3,300	3,000	300
Aix-la-Chapelle	2,500	2,500	.....
Nuremberg	3,000	2,500	500
Cardiff	3,000	2,500	500
Hamilton	3,000	2,500	500
Leeds	3,000	2,500	500
Quebec	2,500	2,500	500
Cadiz	2,500	2,000	500
Total	.....	.....	$3,900

There is thus shown a net decrease of $3,900 in the actual compensation of the Consuls named, instead of an increase of $6,500.

TABLE II.— UNDERSTATEMENT OF FEES COLLECTED.

[Extracts from table in the first column of page 1540 of the Congressional Record, February 6, 1887, presented in Mr. McCreary's speech.]

Fees Collected in 1886, *as Shown by Fifth Auditor's Report.*

Pernambuco, Brazil	$973 50
Cape Town, Africa	325 00
Cardiff, Great Britain	288 00
	$1,586 50

COMMENTS,

The annual report of the Fifth Auditor to the Secretary of the Treasury for the fiscal year ended June 30, 1886, contains at pages 30 to 35, inclusive, in tabular form, a statement showing the character and amount of fees collected in each consular district during the fiscal year ended June 30, 1886. From that statement it appears that the fees collected at the above-mentioned consulates were as follows:

Fees Collected in 1886, *as Actually Shown by Fifth Auditor's Report.*

Pernambuco, Brazil	$1,604 00
Cape Town, Africa	1,019 50
Cardiff, Great Britain	1,720 50
	$4,344 00

There is thus an understatement in these three items of $2,758.50 in a total footing of $6,307 for the whole table.

TABLE III.— UNDERSTATEMENT OF CONSULAR RECEIPTS.

[Extract from table published on second column of page 1540 of the Record of February 6, 1887, headed "Salaried Consuls proposed in lieu of certain ones now compensated by fees." Presented in Mr. McCreary's speech.]

PLACES.	Proposed salary.	Fees received during the fiscal year 1886.
Baranquilla	$2,500	$2,963 50
Dusseldorf	2,500	1,827 50
Brunswick	2,500	5,087 50
Dunfermline	2,500	3,051 50
St. Galle	2,500	7,710 00
Chatham	2,000	2,892 50
Port Stanley and Port Thomas	2,000	3,032 00
Curacoa	2,000	1,219 05
Cognac	1,500	1,887 50
Rouen	1,500	1,490 00
Belleville	1,500	1,812 50
Coaticook	1,500	661 50
Collingwood	1,500	742 50
Morrisburg	1,500	1,086 50
Port Hope	1,500	1,869 50
St. Hyacinthe	1,500	1,630 50
Stanbridge	1,500	990 00
Catania	1,500	1,531 85
Merida	1,500	1,127 50
Gothenberg	1,500	1,307 00
Total	.....	$43,919 90

COMMENTS.

The report of the Fifth Auditor for the fiscal year ending June 30, 1886, at pages 30 to 35, inclusive, states that the fees collected during that year at the consulates above named were as follows:

Fees Collected as per Report of Fifth Auditor.

Baranquilla	$3,230 46
Dusseldorf	2,575 00
Brunswick	5,272 00
Dunfermline	3,929 00
St. Galle	7,725 00
Chatham	4,165 00
Port Stanley and Port Thomas	3,204 00
Curacoa	1,254 00
Cognac	2,915 00
Rouen	4,237 00
Belleville	2,574 00
Coaticook	2,385 50
Collingwood	2,460 50
Morrisburg	1,492 50
Port Hope	2,297 50
St. Hyacinthe	2,231 25
Stanbridge	2,148 50
Catania	1,654 85
Merida	1,899 40
Gothenberg	1,384 00
	$59,034 46

Thus, by the report of the Fifth Auditor, this is an understatement of $15,114.56 in the consular receipts in the table as published in the speech referred to.

Table 4 is published on the second column of page 1540 of the Congressional Record of February 6, 1887, as part of Mr. McCreary's speech:

Salaried Consulates Proposed at Places where there are now Consular Agents.

PLACES	Salary for 1886.	Proposed salary.	Fees collected in 1886.
Reichenberg	$1,000 00	$2,500	$4,123 00
Charleroi	1,000 00	2,500	2,237 50
Furth	1,000 00	2,000	3,767 50
Glauchau	1,000 00	2,000	3,010 00
Brockville	250 00	2,000	552 50
London, Ontario	102 33	2,000	1,554 50
Stratford	1,000 00	2,000	3,078 50
Brunn	240 00	1,500	1,240 00
Gera	1,000 00	1,500	2,171 50
Farnham	48 50	1,500	1,048 50
Huddersfield	1,000 00	1,500	4,920 50

PLACES.	Salary for 1886.	Proposed salary.	Fees collected in 1886.
Kidderminster	$645 00	$1,500	$1,645 00
Leicester	602 50	1,500	1,602 00
Paris, Canada	308 50	1,500	1,308 50
Point Levi	656 00	1,500	1,656 00
St. Helen's	1,000 00	1,500	2,155 00
Swansea	50 50	1,500	1,052 50
Jerez de la Frontera	382 50	1,500	1,382 50
Chaux-de-Fonds	187 50	1,500	1,187 50
Totals	$11,475 33	$32,500	$39,693 50

COMMENTS.

Reichenberg.— A feed Consul (Estimates, page 92), not a consular agent. His compensation from fees exceeds $2,500 per annum (Estimates, appendix, page 272). The amount of "salary" stated in the table is $1,000.

Brockville.— An independent commercial agent (Estimates, page 92), not a dependent consular agent. Compensation from fees, $2,000 (Estimates, appendix, page 275). Amount of "salary" stated in table, $250. The fees collected at this agency for seven months only of the fiscal year 1886 were $1,688.50 (Fifth Auditor's Report, page 25). The total amount of fees stated in the table to have been collected during the whole year is $552.50.

London, Ont.— Commercial agent (Estimates, page 92), not a subordinate consular agent. Compensation fees, $1,544.50 (Fifth Auditor's Report, page 32). "Salary" stated in table, $102.33.

Farnham.— Compensation from fees, $1,000 (Fifth Auditor's Report, page 20). The salary stated in table is $48.50, which is the percentage of his fees paid over by the consular agent to the Consul at Saint John's, Quebec, under whom he serves (Fifth Auditor's Report, page 20).

A similar comment applies to Jerez de la Frontera, Swansea, and other agencies enumerated in the table, where the "salaries" paid are stated to be under $1,000. The figures have either been taken from the wrong tabular statement in the Fifth Auditor's report, or from the wrong column in the right tabular statement.

The tabular statements appended to the report of the Fifth Auditor are so constructed that they are difficult to understand. There is Table B, which purports to give a "statement of consular fees, salaries and expenses" for all the consulates included in Schedule B; there is Table C, which purports to give a "statement of consular fees, salaries and expenditures" of all consulates included in Schedule C (which is the $1,000 trading class); and then there is Table D, which professes to give a "statement of consular fees, compensation, expenses and loss by exchange of all consulates and commercial agencies not included in Schedules B or C." In these three tables, wherever a consulate or commercial agency has a subordinate consular agency attached, the fees of the principal office and the additional fees the principal office receives from its agencies are subdivided.

The tables published in the Record of the 6th instant give, with regard to consulates that have agencies only, the fees collected at the main consulate, whereas the percentage of fees received from the subordinate agencies should be added;

and with regard to many, if not all, of the agencies, give as their total collections only the percentage of fees which those agencies have paid over to the main consulates, after withholding their own compensation.

But at pages 30 to 35 of the report table "I" is published, which gives a consolidated statement in detail of all the fees collected in each district, and it is from that table that the figures contained in the last three statements published on the 6th instant should principally have been drawn, but were not.

RECAPITULATION.

Table I.— An overstatement of $10,400 in the actual increase of compensation proposed by the bill in the consulates enumerated.

Table II.— An understatement of $2,758.50 in the amount of fees collected at the consulates enumerated.

Table III.— An understatement of $15,114.56 in the consular receipts at the consulates indicated.

Table IV.— Inaccurate as to facts or figures in nearly every item. The figures being taken from either the wrong tabular statement in the Fifth Auditor's report, or from the wrong column of the right statement.

Mr. BELMONT.— As to whether or not this is the time for making the increases of salary proposed in the bill is for the House to say. In view of recent events, I think the House will appreciate the fact that in Canada, at least, there is some need of attention to our consular service, and in this bill it will be found that the Canadian service is especially held in view.

Some doubt has been cast by the gentleman from Delaware (Mr. Lore) as to whether or not there was a misunderstanding between the Committee on Foreign Affairs and the State Department. I found it very difficult, as I did in the case of the gentleman from Kentucky, to interrupt him in his remarks, but I did undertake to say that the misunderstanding was confined to Delaware. Upon reading the Record this morning I found that this statement was omitted; and I take occasion to repeat that it does not seem strange to me that the gentleman from Delaware should have opposed the recommendations of the Department of State when he also opposed the recommendations of the Navy Department at the time the reorganization bill was before the House, though he himself is a member of the Naval Committee.

I do not care whether our friends upon the other side are interested in our differences of opinion on this side or not, because I believe there will elapse many years before they will obtain any benefit from such differences. We may differ very safely, and even widen our differences if need be; and for my part, I have no objection at all to standing among those who

desire some improvement in the public service, even though that improvement should involve some increase of expenditure. We do not understand that the changes we propose in the consular service will involve any drain upon the Treasury. We are satisfied from the statements of the department itself, statements which the Committee on Foreign Affairs, at least, is entitled to repeat to the House, statements to which we can give the greatest confidence — we are satisfied from those statements, as I will show in the Record, if the House permits me to establish it by presenting the figures, that this bill increases the appropriation in actual amount only $196,000; and if we take the very lowest estimate which the department has made of the increase of revenue that will result through increased collections to the Treasury, the whole bill will simply increase the expenditures for the foreign service of the Government over the appropriation of last year to the amount of $40,900.

As shown in the report, the total increase in the diplomatic service (including the cost of legation buildings for Japan and Siam) is			$50,500
The consular increase is (on the face of the appropriations)		$274,800	
Less fees of consular agencies abolished, as shown in appendix to Estimates..	$10,400		
Less fees now retained by officers to be hereafter paid by salaries	120,000		
		130,400	
			144,400
			$194,900
From which, if the increase of revenue from closer collection of duties (which at the lowest estimate is placed at $150,000) be still further deducted			150,000
Leaves the total cost to the Treasury			$40,900

My colleague (Mr. McCreary) has challenged proof of the saving to the revenue. He has distinctly called my attention to this point, and has proceeded to demonstrate by tables compiled from the Fifth Auditor's report, which have no bearing on the subject, that an increase is impossible. It is not expected that the enhanced revenues will be derived from consular fees, but from the removal of the facilities which the fee system now affords for the undervaluation of invoices by importers and consequent loss of duties by the Government. One instance involving $20,000 was mentioned in the debate on Saturday; another case involving $15,000 has been mentioned to-day.

All Consuls, commercial agents and consular agents paid by fees have a maximum, fixed by the Secretary of State, of fees they are allowed to retain. Everything they collect over that they must return to the United States. In Canada there are a hundred or more consular officers paid by fees, who, under ordinary circumstances, would never collect up to their maximum. It makes no difference to these men what kind of returns they make to the United States, because they will never be called upon to account for any surplus collections over their maximum. Consequently, to obtain business, they cut down the scale of fees prescribed by the United States in order to get the importers of Canadian produce to deal with them in preference to salaried Consuls, who would be compelled to charge and return full fees, and they make false returns to the Government, representing that they have collected the legal fees when they have not.

Thus they double their own receipts, but for every extra dollar they make themselves they take a dollar and a half out of the Treasury of the United States, which would otherwise get in there if the importer had to do business with a salaried Consul.

The evils of this system were laid before the House to-day by the gentleman from Georgia (Mr. Clements) in a letter from the Consul at Fort Erie. I will ask that the portions I have marked may be printed, without taking up the time of the House by reading them:

No. 20.] UNITED STATES CONSULATE,
FORT ERIE, CANADA, *March* 10, 1886.

Sir.— On reading your circular bearing date January 26, 1886, on the subject of careless and improper use of the Consul seal, and also that of January 28, 1886, as to consular clerks acting as agents of shippers, it occurred to me that these and many other abuses may and do exist because of the great number of inland, commercial and consular agents depending solely on fees for their compensation, many of these agents not being citizens of the United States, and taking no interest in the service or in the welfare of our Government, and, in fact, caring for nothing except the amount of fees which they may be able to make.

It is (a) current report here, and I have been so informed by my predecessor, that those agents appoint railroad employes and others as subagents to intercept and get business for them, allowing them a percentage of the fees for the same, and that they supply them with blanks signed and sealed, to be afterward filled up.

I find affidavits of shippers on record in this office, proving that they obtained their certificates in this way, and showing that in some cases the station agents refused to forward the freight until the shippers consented to take their certificates from them. I think it would be safe to say that hundreds of so-called consular certificates are issued, the shipper or declarant never seeing the consular officer to whom the declaration purports to have been made and whose signature is attached.

The inland agencies are on lines of roads terminating at Fort Erie or Clifton, which are the ports of clearance to the United States of a great bulk of the products of this Province, or at other salaried consulates on the frontier; so that they simply divert business from its natural channels and absorb the revenue which would otherwise accrue to the Government.

This matter of inland agencies has heretofore been under consideration, and I find by the record that in 1868 they were discontinued on investigation by and report of the Commissioner of Customs, that in his opinion "the interior agencies were not necessary, and were an obstruction to business."

When I asked why they were again established after having been thus discontinued, I was answered that continued application was being made, and that as long as a consular agent was allowed $1,000, and a commercial agent $2,500 from the fees, there would be no lack of applicants with memorials numerously signed, urging the great necessity of such agencies.

This system of inland unsalaried agencies leads to continued strife and contest for fees, and tends very much to lower the standing of the officers and the dignity of the office, and to lessen the pride which any man may justly feel as the representative of the Republic in a foreign land.

If an economic view of the subject be taken, very strong reasons will appear why such agencies should be discontinued and the business done by the salaried Consuls located at or near the ports of clearance.

In 1870, after the discontinuance of inland agencies, and when the commerce of this Province was not near as large as now, and the Consul's compensation amounted to $2,000, this office netted to the Government an annual revenue of over $4,000. At that time Port Stanley and Saint Thomas and Port Rowan agencies were embraced within this consular district. Now, the same extent of territory, including these agencies, is not self-sustaining.

The deficit made good by the Government, and the former revenue accruing to it, constitute a loss of at least $4,500 yearly.

I inclose exhibits 1 and 2, compiled from the report of the Fifth Auditor of the Treasury for the fiscal year ending June 30, 1885, showing salaried and unsalaried consulates and their agencies, the amount of fees collected by each, the compensation of salary, and the rent account and contingent expenses.

Exhibit 1 shows that the fees collected by salaried officers and their agents amounted to $26,750; the salaries to $16,000, and contingent expenses and rent to $2,745.

Exhibit 2 shows that the fees collected by unsalaried officers and their agents amounted to $22,931; the compensation to $20,979, and contingent expenses to $517.65.

Now, all the fees collected by both classes of officers amounted to $49,681. If the business were done by the salaried Consuls alone, deducting salaries, rent, and contingent expenses, which amount to the sum of $18,745, there would be returned to the Treasury a balance of $30,936. Allowing a margin for additional expenses because of increased business at the consulates, and for an increase of salary, as recommended by the President and as now being under consideration in the Committee on Foreign Relations, and let that margin be $10,936, the consular service of the Province of Ontario alone would yield to the Government an annual revenue of $20,000.

The services would be performed by men having a due sense of their responsibility, feeling it to be their duty and incumbent upon them to perform their official functions in such a manner as to forward the commercial interests of

their country, and command for themselves and their Government the respect of the people among whom they may be temporarily domiciled.

Upon receiving your circulars hereinbefore referred to, and upon thought that some legislation relative to the consular service is now under discussion, I deemed the time opportune to communicate to you my observation and views, and I respectfully submit these suggestions for the consideration of the department.

I am, sir,

Your obedient servant,

JAMES WHELAN,

Consul.

Hon. JAS. D. PORTER,

Assistant Secretary of State, Washington, D. C.

This matter was also discussed in a report (No. 1938) which was made to the House by the Committee on Foreign Affairs last session, to which the gentleman (Mr. McCreary) himself assented.

I will make one extract:

There can be no question that the adoption of the plan proposed (that is, of paying all officers by fees) would correct many abuses and indirectly benefit the Treasury in many ways. It would remove the temptation which now exists for consular officers to enter into collusion with shippers for the sake of obtaining their custom, and to the detriment of the revenue. It would put an end to a practice which, it is believed, largely prevails in Canada among consular agents who (knowing they will not collect more than their maximum, and, therefore, will never be called upon to make good the difference between the face of their returns and their actual collections) charge less than the scale of fees established by law for the certification of invoices, so as to obtain business in competition with other agents, and at the same time enter the proper charges on their returns.

The gain to the Treasury by the abrogation of this system, it is believed, will be very considerable. In this, and in many other ways, it is, therefore, expected that from an economical point of view the proposed change will be beneficial, and every other consideration renders it most desirable. The system of compensation by fees is demoralizing to the service. Its abolition has been recommended by successive Secretaries of State. The Forty-seventh Congress directed the department to prepare an estimate of the amount required to put the consular service on a salaried basis, and, in accordance with those instructions, a report and a proposed bill were drawn up (Executive Document No. 121, Forty-eighth Congress), but no action was had thereon. A change to a system of fixed salaries, as now proposed, was recommended by the present Secretary of State, and is among the reforms of the consular service commended to the attention of Congress by the President, and by the House referred to this committee.

But suppose the increase proposed by the bill were really $196,000, what shall be said when a bill (which I would have voted for had I been present) appropriating $1,500,000 for a public building in the city of Brooklyn went through this House this week with scarcely an objection? What will the country say when it finds that a bill like that goes through

without debate, while a bill appropriating for our whole diplomatic and consular service, for the establishment of buildings for contingent expenses, in fact for the whole foreign intercourse, scarcely any larger amount, in fact only a little over $1,600,000, has been debated and combatted at every opportunity since Saturday last. It was my appreciation of the amounts contained in this bill, and of the purpose of the committee to present only such a measure as the necessities of the service called for, that induced me to ask on Saturday last that we might go on to the reading of the bill after a brief explanation of its provisions. I now move, Mr. Chairman, that the committee rise.

The motion was agreed to.

The committee rose, reported to the House, and, on motion of Mr. Belmont, the House adjourned.

[DEBATE CONTINUED, FEBRUARY 12, 1887.]

ANTAGONISM OF COMMITTEES UNDER NEW RULES.

[THE COMMITTEE ON APPROPRIATIONS FORMERLY HAD JURISDICTION OF THE CONSULAR AND DIPLOMATIC APPROPRIATION BILL, BUT, BY A CHANGE IN THE HOUSE RULES, IT WAS TAKEN AWAY FROM THAT COMMITTEE AND PLACED IN CHARGE OF THE COMMITTEE ON FOREIGN AFFAIRS. LIKEWISE WERE SEVERAL OTHER IMPORTANT APPROPRIATION BILLS TAKEN FROM THE COMMITTEE ON APPROPRIATIONS AND APPORTIONED TO SUCH COMMITTEES AS SEEMED ENTITLED TO THEM. THIS NEW ARRANGEMENT GREATLY CURTAILED THE POWERS OF THE APPROPRIATION COMMITTEE AND PROBABLY IMPELLED ITS MEMBERS TO JEALOUS VIGILANCE IN DETECTING FLAWS IN, IF NOT TO ANTAGONIZE, BILLS NOT OF THEIR MAKING.

FOR A HISTORICAL DISSERTATION BY THE PRESIDING OFFICER (MR. BLOUNT OF GEORGIA) UPON THIS CHANGE IN THE RULES, SEE THE DEBATE, FEBRUARY 15TH, PAGE 170.]

On motion of Mr. Belmont, the House resolved itself into Committee of the Whole on the state of the Union, Mr. Blount in the chair.

The CHAIRMAN.— The House is now in Committee of the Whole, and ten minutes of the time remain for general debate.

Mr. BELMONT.— I reserve that time, and ask for the reading of the bill by sections.

The Clerk read as follows:

SCHEDULE A.— SALARIES OF MINISTERS.

Envoys Extraordinary and Ministers Plenipotentiary to France, Germany, China, Great Britain and Russia, at $17,500 each, $87,500.

Mr. BURNES.— I rise to make a point of order against a portion of that paragraph of the bill.

The CHAIRMAN.— The gentleman will state it.

Mr. BELMONT.— Has not that section been passed over?

The CHAIRMAN.— It had been read, and the Clerk had begun to read the next paragraph; but there was a great deal of confusion in the Hall, and the Chair hardly thinks the gentleman from Missouri should be thereby prevented from interposing the point of order.

Mr. BELMONT.— I will not insist upon the point.

The CHAIRMAN.— The gentleman will state his point of order.

Mr. BURNES.— I am not aware of any law authorizing this increase in the salary of the Minister to China. I believe it is in conflict with the third section of the twenty-first rule, which I cite in support of the point of order; and I also refer the Chair, so far as this item is concerned, to the Supplement to the Revised Statutes, page 400, where it will be found in a permanent law, that the salary of the Minister to China is provided for and made $12,000 per annum.

Mr. BELMONT.— Mr. Chairman, whatever may be the result of the discussion on the point of order, I suppose it would be useless for me to ask the gentleman to withdraw the point he makes, although the House is already informed that the interests of the United States are concerned in the recommendation which the Committee on Foreign Affairs has made to increase the salary of the Minister to China.

There are obvious reasons of public policy, as well as of international courtesy, why this change should be made. The United States in its diplomatic relations with eastern nations stands in a different relation from any other great power. We have no military or colonial policy to pursue within their borders. All the other great powers have. This gives to our representatives in those countries an influence which is yearly increasing, which is nowhere so plainly apparent as in China, and which it is greatly to the interest of the United States to encourage and develop.

The United States holds a power in the East which should be efficiently represented. To-day we have, perhaps, the best Minister we have ever sent to China. We ask for him, and for the sake of the interests of this country in China, that this mission shall receive a salary at least equal to that of our Minister to Russia or to Germany, where our interests are not more important.

But, sir, as to the point of order. I would refer the Chair to the original Rule 63, and the history of the various steps by which that

rule has been extended, as well as to the debate which occurred with reference to it, where the Speaker of the House declared, on the 17th of January, 1876, that the extension of the rule was for the purpose of increasing salaries.

The original rule, No. 63, read as follows:

63. No appropriation shall be reported in such general appropriation bills, or be in order as an amendment thereto, for any expenditure not previously authorized by law. (House Journal, Twenty-sixth Congress, page 266.)

On the 13th of March, 1838 (Congressional Globe, volume 6, page 235), this rule was amended by adding the following words:

Unless in continuation of appropriations for such public works or objects as are already in progress, and for the contingencies for carrying on the several departments of the Government.

On the 17th of January, 1876, in a debate on the construction of this rule, the Speaker directed the construction which had been placed upon it to be read by the Clerk, as follows (Congressional Record, volume 13, page 445):

It has been decided that under the rule it is not in order to propose an amendment to a general appropriation bill which changes an existing law. But it was also decided that the latter branch of the rule not only permitted amendments increasing salaries, but was framed for that very purpose.

The history of the present rule, which, if interpreted as the gentleman claims, it seems to me, would surrender to the Senate the regulation of all salaries in an appropriation bill, is well known to this House. As for myself, I voted for the change in the rule by which the distribution of appropriations was made to several committees. I so voted not because, as a member of the Committee on Foreign Affairs, I desired for that committee the disagreeable duty of preparing this bill.

There is no bill which comes before the House so unpopular as this. There is no bill which gives so pleasurable an opportunity to the demagogue, and there is no bill which can be so easily misrepresented. I desire to say on my own behalf and on behalf of the committee which has undertaken this work that we did so believing it to be our duty so to do.

Mr. STEELE.— I rise to a question of order.

The CHAIRMAN.— The gentleman will state it.

Mr. STEELE.— Is the gentleman from New York discussing the point of order or the merits of the bill?

Mr. BELMONT.— What I am saying is on the point of order, because I think it is important to the House to establish what is the duty of

the Committee on Foreign Affairs under the rule. The intention of the change in the rule by which this committee was charged with this particular duty was that it might report a bill that would be of some practical use to and effect upon the special service to which we are appropriating these amounts.

That we have a duty put upon us to report the estimates of the Department of State I can have no question, provided we do so under the rule. If the rule means that there shall be no regulation of amounts of salaries, it simply means that your committee should come in here with a resolution to reappropriate according to last year's appropriation bill. The Chair will find difficulty, it seems to me, in establishing what is existing law in regard to the diplomatic and consular service, because that service stands upon a different footing from any other under the Government. Before 1846 the appropriations were made in lump sums. It was only in 1856 that a regular reorganization was established by law. Then again, if, as was contended the other day, the rule adopted in the appropriation bill of 1879 is the rule to-day — if that be the law which binds us all, the changes which have been made since then on appropriation bills are certainly not in accordance with the law.

The Committee on Foreign Affairs has simply followed the course hitherto taken by the Committee on Appropriations, only it has gone further in the same direction. It can hardly be expected that the gentleman from Missouri, who has served and is serving upon the Committee on Appropriations, should be satisfied with this bill. I doubt if it would be possible for a committee which, under the new rule, is charged with the preparation of a bill and which in the performance of its duty has incorporated certain changes not of law, but changes in the regulation of amounts of salaries — I do not think that a committee pursuing this course could by any possible means satisfy certain gentlemen on the Committee on Appropriations, from which this bill has been taken.

But as the gentleman from Missouri has referred the Chair to certain authorities for its decision, I would also refer the Chair to the decision of the Supreme Court in the case of Mitchell against the United States. That decision, it seems to me, establishes the fact that appropriations are made for the current year only. There is only one case brought before the Court of Claims and decided according to another theory which has not been reversed by the Supreme Court, and that is the case of ex-Minister Langston, which was not appealed, or it would probably have suffered the same fate.

In every case of a claim of a diplomatic or consular officer because of the fact that Congress had not appropriated to the full amount of the

appropriation of a previous year — in every such case after the decision of the Court of Claims had been in accordance with the theory of the gentleman from Missouri it has been reversed in the Supreme Court. Every one of these decisions which prove that an appropriation is the law so far as a salary is concerned during the continuance of the fiscal year for which the appropriation is made is a re-enforcement of the present position of the Committee on Foreign Affairs; and, therefore, a regulation by which the salary of the Minister to China is put upon the same footing as the salaries of the Ministers to London, Paris, Berlin and St. Petersburg is in order.

(Mr. Cox, of North Carolina, addressed the committee.)

Mr. BURNES.— I beg to be indulged a moment while I assure my esteemed friend from New York (Mr. Belmont) that I think there is no member of the Appropriation Committee who desires to interfere either with his bill or with his admirable management of his bill; but being in opposition to increase of salaries and increase of expenditures, and at the suggestion of other gentlemen who felt that some one must make these points of order, I have simply attempted to discharge the duty imposed on me. This, sir, is purely a question of law, and to that question I shall for a few moments, and a few moments only, strictly confine myself. I beg to read the third section of the rule alluded to:

No appropriation shall be reported in any general appropriation bill, or be in order as an amendment thereto, for any expenditure not previously authorized by law, unless in continuation of appropriation for such public works, and objects as are already in progress; nor shall any provision changing existing law be in order in any general appropriation bill or in any amendment thereto.

The existing law I find in the Act of January 27, 1879, which fixes the salary of the Ministers to China, Japan, Mexico, Brazil, Austria and Spain at $12,000 each. At the conclusion of that act I find the following:

That the salaries provided in this act for the offices within named, respectively, shall be in full for the annual salaries thereof from and after the 1st day of July, 1879; and all laws and parts of laws in conflict with the provisions of this act are hereby repealed.

This would seem to make a law establishing these salaries at $12,000. I will not detain you, sir, eminent in parliamentary law as I know you to be, by referring to the history of the one hundred and twentieth rule, which is now the third paragraph of our twenty-first rule. That history would carry us back to 1820 and to 1838, when the rule was amended.

But there is a peculiar provision in connection with it to which I wish to call attention. The one hundred and twentieth rule is as follows:

No appropriation shall be reported in such general appropriation bill or be in order as an amendment thereto for any expenditure not previously authorized by law, unless in continuation of appropriations for such public works and objects as are already in progress, and for the contingencies for carrying on the several departments of the Government.

That was the rule from 1838 to 1876, express authority being given to provide for the exigencies of the public service in the several departments of the Government. Prior to 1876 it had been held that salaries could be increased under the one hundred and twentieth rule, and very properly so held; but in the Forty-fourth Congress the rule was changed. It was changed, however, only in the concluding subdivision of the paragraph, not in the first portion of it. It was changed by striking out this provision expressly authorizing such legislation for the exigencies of the departments, and inserting in lieu of it the following:

Nor shall any provision in any such bill, or amendment thereto, changing existing law, be in order, except such as, being germane to the subject-matter of the bill, shall retrench expenditures.

That amendment, made in the Forty-fourth Congress, was followed by the rule which I read in the beginning of my remarks, but neither of them affected the first part of the paragraph. That has remained the same from 1820 down to the present moment; it is only the concluding portion that has been from time to time changed, and at no time has there been any pretense that under the first part of the paragraph a salary could be raised. Under Rule CXX salaries were raised, but it was done under the provision contained in the latter part of the paragraph.

Mr. BELMONT.— Will the gentleman allow me to interrupt him?

Mr. BURNES.— I would rather not at this moment; but if the gentleman desires, I will yield.

Mr. BELMONT.— I understand the gentleman to mean that the test of the regularity, under the rule, of a provision in such a bill as this is whether or not it is in accordance with existing law, and I understand that the law upon which he would found an objection is the law of 1879.

Mr. BURNES.— Undoubtedly; I rely upon the law of 1879 as the existing statute.

Mr. BELMONT.— I shall not interrupt the gentleman further now, but I shall take occasion to express my dissent from that view, on account of the practice of the House since 1879, and also on account of the

purpose of that law, which was to shut off claims which might be made, and which were made, for salaries which had not been provided for in appropriation bills. "In full" payment meant that the officer who received a salary under the law of 1879 should not be entitled to come into court with any further claim for an increase of salary.

But since that provision, quoted by the gentleman from Missouri, in the law of 1879, was passed, the rank and title of ten Ministers, Consuls-General, and Consuls have been changed in appropriation bills. The salaries of eighteen diplomatic and consular officers have been increased a total of $33,000; one new Secretary of Legation has been created, at a cost of $1,800; twenty-four new consulates have been created, at a cost of $40,500.

On the other hand, salaries of only four diplomatic and consular officers have been reduced, a total of $4,000; and four Consuls, provided by the act of 1879, have been abolished, at a total saving of $8,000.

The fact that the House has made so many changes since 1879 — I have a detailed list of them here, but it would take me too long at this time to enumerate them all — clearly shows, I think, that an increase of salary at this time is not different from what it was a year or two ago. If my friend relies simply upon the law of 1879, it seems to me he will not find as much fault with the committee as his remarks would have led me to believe.

Mr. BURNES.— Mr. Chairman, I have indulged my friend from New York (Mr. Belmont) with great pleasure; but I beg to answer his suggestions by a single observation. I am aware of no principle in law which justifies the conclusion that a statute is repealed by its violation. In the Forty-fourth Congress, the amendment then proposed being under consideration, many of the most eminent members of the House expressed themselves freely, fully and clearly upon the proposition. I cite to you, sir, the thirteenth volume, page 455, of the Congressional Record. You will find there that Mr. Garfield, Mr. Randall — I speak historically of gentlemen who are now members of the House — Mr. Holman, Mr. Hoar (the present Senator from Massachusetts), and other gentlemen of equal distinction, considered this proposition which had met the approbation of the eminent gentleman from New York (Mr. Cox), who reported the amendment to the House.

Not a single one of those gentlemen failed to commit himself to the proposition that under the first portion of the paragraph under consideration there never had been and never could be a salary raised, but that under the concluding portion salaries had been and could be raised.

Mr. Hoar, making it clearer, perhaps, than any of the rest, used the following decisive language, which was not disputed by any one:

Now, if we strike out that sentence —

Meaning the concluding portion of Rule CXX as it existed with the amendment of 1838 —

It is not in the power of the House to make any appropriation either originally reported or as an amendment to the contingencies for carrying on the several departments of the Government, unless it is for an expenditure previously authorized by law.

Mr. Chairman, these eminent authorities are before you for your consideration. The rule has been read. The law, fixed and permanent, is before you. If a salary can be raised now on an appropriation bill there is no law to prohibit us from appropriating as we please, in violation of any statute and in violation of any rule of the House. I submit these remarks deferentially, and regret exceedingly that it has been a part of my duty to occupy the unpleasant position, which I have not occupied before, of objecting to the legislations of a committee of this House.

The CHAIRMAN.— The question has been so frequently before the House, and the ruling on the question has been so well settled that the Chair does not think it necessary to occupy time in stating the reasons for his decision. The point of order is sustained.

The Clerk read as follows:

Envoys Extraordinary and Ministers Plenipotentiary to the Argentine Republic, Chili, Turkey and Peru, at $10,000 each, $40,000.

Mr. BELMONT rose.

Mr. BURNES.— The point of order is reserved on this section.

The CHAIRMAN.— The gentleman will state it.

Mr. BURNES.— My point of order is that the appropriation here increases the salary of the Minister to the Argentine Republic from $7,500 a year to $10,000.

Mr. HOLMAN.— And I raise an additional point of order.

Mr. BURNES.— It also raises the salary of the Minister to Turkey. The salary of that Minister is provided for on page 38 of the supplement to the Revised Statutes at $7,500. It is here provided for at $10,000.

The CHAIRMAN.— The Chair sustains the point of order.

Mr. BELMONT.— It will be necessary to go back to line 17 and change the total.

Mr. RANDALL.— The clerks will attend to that.

The CHAIRMAN.— That has already been done.

Mr. BELMONT.— That is all that is necessary, then.

The CHAIRMAN.— The Clerk will report the next paragraph.

Mr. BELMONT.— I did not understand the amendment of the gentleman in regard to Turkey.

Mr. HOLMAN.— The salary of the Minister to Turkey was $7,500, but last year, for the first time in our history, the salary was increased to $10,000.

Mr. BELMONT.— My friend is mistaken; the increase was not made last year.

Mr. HOLMAN.— It was made in the Forty-eighth Congress.

Mr. BURNES.— At the second session.

Mr. HOLMAN.— At the last session of the Forty-eighth Congress, for the first time, this salary was increased to $10,000. It was a mere matter of appropriation, and not of law, fixing the salary at that amount.

Mr. BELMONT.— It was not increased by the Committee on Foreign Affairs.

Mr. RANDALL.— The Committee on Appropriations appropriated $7,500; but they were overruled and the salary fixed at $10,000.

Mr. BURNES.— The motion was made to increase the salary from $7,500 to $10,000, but no gentleman in the House raised the point of order against it, as it was understood at the time the distinguished gentleman from New York (Mr. Cox) was to be appointed to that position.

Mr. BELMONT.— It is simply a repetition in the bill of the sum appropriated last year. Of course, as the Chair has ruled in favor of the point of order, the committee will not desire to contest the ruling. I only wish to say that it is a repetition of former appropriations, and is not a new provision in this bill.

* * * * * * *

The CHAIRMAN.— The Chair will observe the former rulings by sustaining the point of order and holding the original act creating the salaries as not having been repealed by annual provisions in appropriation bills.

Mr. BELMONT.— I move that the committee rise.

The motion was agreed to.

[DEBATE CONTINUED, FEBRUARY 15, 1887.]

EFFORTS TO IMPROVE THE FOREIGN SERVICE AND OPPOSITION THERETO.

NEGATIVE *VS.* AFFIRMATIVE LEGISLATION.

On motion of Mr. Belmont, the House resolved itself into the Committee of the Whole for the consideration of the diplomatic and consular appropriation bill.

Mr. BELMONT.— I desire to ask if the word "Turkey" has been inserted in line 26.

The CHAIRMAN (Mr. Blount).— It has not. No motion was made for that purpose.

Mr. BELMONT.— I move, then, to amend by inserting the words "Turkey and the Argentine Republic" in line 26. That is in accordance with the amendments under the point of order made the last time the bill was under consideration.

The Clerk read the line, as amended, as follows:

Envoys Extraordinary and Ministers Plenipotentiary to the Argentine Republic, United States of Colombia and Turkey, at $7,500 each, $22,500.

The amendment was agreed to.

* * * * * * *

The Clerk read the following paragraph:

Agent and Consul-General at Cairo, $5,000.

Mr. BURNES.— The law provides a salary of $4,000. I make the point of order.

Mr. BELMONT.— I shall not oppose the point of order which has already been sustained by the Chair, but I desire to say this is simply a repetition of a salary appropriated for several years past.

The CHAIRMAN.— The Chair sustains the point of order.

The Clerk read the following paragraph:

Chargé d'affaires *ad interim* and diplomatic officers abroad, $20,000.

Mr. BELMONT.— It will be necessary at this point to insert Liberia, which was stricken out in a former paragraph.

The CHAIRMAN.— In the absence of objection, that amendment will be made.

There was no objection.

The CHAIRMAN.— The gentleman from New York will please send up his amendment in writing.

Mr. BELMONT.— The fact is this amendment will produce a new class of office, a Minister at $4,000. There is no such thing at present. Therefore, I am at a loss to know where the amendment should be inserted; there is no paragraph in the bill where it would properly come in.

The CHAIRMAN.— The Chair understood the gentleman to offer his amendment at line 45.

Mr. BELMONT.— I offer, then, this amendment:

After line 45 insert the words "Minister to Liberia, $4,000."

I ask the Chair to submit that motion.

The CHAIRMAN.— The Chair has already submitted it and it has been agreed to.

Mr. BURNES.— I submit the proposition, somewhat hesitatingly, with regard to the point of order upon the paragraph contained in lines 44 and 45. The amount provided for in the statute does not authorize an appropriation of $20,000; but the current law does authorize that amount, the appropriation being $20,000. Prior to the first session of this Congress, the appropriation was $12,000. This is an increase over former appropriations, except that of the first session of this Congress, of $8,000.

Mr. BELMONT.— Mr. Chairman, there is some limit to the propriety of points of order, it seems to me, and in this case I think the gentleman from Missouri is mistaken. If the Clerk will read the section of the law upon which the appropriation is founded I think the gentleman may be induced to withdraw his point of order. If he does not withdraw it I desire to say to some of my friends on this side of the House that they should remember there is a distinction between affirmative legislation and negative legislation, and while certain gentlemen have been most successful hitherto in negative legislation (and no one more than I appreciate the great service they have rendered the party by opposing unwise appropriations), it does seem to me that we are no longer a party of opposition, and that we must undertake some affirmative legislation.

I agree, of course, that a check should be placed upon unwise expenditure, and I know of no more proper and effective method than that which has been pursued by the President of the United States in his recent veto message upon the dependent pension bill, for which I did not vote. The provision under consideration is made in direct pursuance of a recommendation received from the State Department. It is an appropriation in which the money is to be expended only in case of necessity.

Mr. BURNES.— Mr. Chairman, if the gentleman will yield to me a moment I think I can, perhaps, facilitate business.

Mr. BELMONT.— I would rather not yield at this moment, but if the gentleman particularly desires it I will do so.

Mr. BURNES.— Mr. Chairman, I am inclined to believe that the point of order can not be sustained against this proposition and, therefore, I withdraw the point, and move to amend the paragraph by striking out the word "twenty," in line 45, and inserting "twelve."

Mr. BELMONT.— Mr. Chairman, I hope that the House will not adopt that amendment. If it does, we shall have simply a repetition of what has occurred in previous years — a deficiency. The committee, last year, induced the House to appropriate this amount, simply to avoid a deficiency, and, for the first time in many years, there is no deficiency. Shall we cut this item down now simply that we may be able to say that we appropriated $12,000, whereas in reality we needed $20,000, and must hereafter appropriate to make up that amount? If that is to be the policy of the House, I am very much mistaken in having opposed the amendment of the gentleman from Missouri (Mr. Burnes).

Mr. BURNES.— Mr. Chairman, before this vote is taken, I beg the indulgence of the committee for a moment, so that all may understand the proposition, so far at least as my objection to it is concerned. What is the appropriation for? It is for the payment of chargés d'affaires *ad interim*. Who are they and what are they? We have a Minister at a foreign court who receives a full and adequate salary. That Minister has ordinarily a Secretary of Legation, whose salary is provided by law and who receives his salary.

But, when the Minister goes away from home, he leaves the Secretary as his chargé d'affaires, and then the Secretary becomes entitled to higher pay for the service thus rendered in the absence of the Minister. Now, the Minister, in his absence, draws the full salary of his office, and the chargé d'affaires draws an additiona salary; so that we are paying two individuals for the same service at the same time. I wish to add further that in the Forty-eighth Congress we had practically come to the conclusion that this whole appropriation ought to be abolished and that the practice ought to be ignored; but, as there were occasions when probably some appropriation under this head might be needed, we finally concluded to compromise rather than to abolish the appropriation entirely, and determined to make the appropriation $12,000, although the judgment of probably a majority of the House was in favor of entirely abolishing it, inasmuch as it ignored a proposition of legislation and of government,

which ought always to be recognized, namely, that no two persons should receive pay for doing the same work at the same time.

Mr. BELMONT.— I think my friend is mistaken. The chargé d'affaires, in the absence of the Minister, is not entitled to his pay as Secretary of Legation, but he is entitled to fifty per cent. of the Minister's pay. The reason this appropriation is put at $20,000 is because it is utterly impossible to determine in advance what vacancies may occur in the missions by reason either of absence or death. For instance, the missions to Turkey, to Vienna and to Berlin are temporarily vacant to-day, and other missions may become vacant, and when that occurs the Secretary of Legation is required to perform the duties of the Minister.

But during that time he receives no salary as Secretary of Legation. If only a few vacancies should occur a smaller appropriation might be sufficient; but it may be that more vacancies will occur, and in that case there should be a sufficient fund at the disposal of the department. So much of the fund as may not be used will be turned into the Treasury. I do not see that anything further need be said unless it be proper that the section of the Revised Statutes relating to this subject be read. I ask the Clerk to read it.

The Clerk read as follows:

§ 1685. For such time as any Secretary of Legation shall be lawfully authorized to act as chargé d'affaires *ad interim* at the post to which he shall have been appointed, he shall be entitled to receive compensation at the rate allowed by law for a chargé d'affaires at such post; but he shall not be entitled to receive, for such time, the compensation allowed for his services as Secretary of Legation.

(Messrs. Cox, of North Carolina, Hitt and Allen, of Mississippi, addressed the committee.)

Mr. BELMONT.— Mr. Chairman, I do not feel called upon to answer the gentleman from Mississippi (Mr. Allen). I only ask the Clerk to read the passage I have marked to show him this is no new question. He may or may not care what might be the recommendation of the present Secretary of State, but this Secretary of State, whose report I ask to have read, was Edward Livingston, Secretary of State to President Andrew Jackson in 1833.

The Clerk read as follows:

Ministers are considered as favorites, selected to enjoy the pleasures of foreign travel at the expense of the people, their places as sinecures and their residence abroad as a continued scene of luxurious enjoyment. Their exertions, embarrassments, their laborious intercourse with the governments to which they are sent, their anxious care to avoid anything that might, on the one hand, give just cause

of offense, or to neglect or to abandon the rights of their country or its citizens, on the other, are all unknown at home.

Even the merit of their correspondence, from which, at least, the reward of honor might be derived, is hid in the archives of the department and rarely sees the light; and, except in the instance of a successful negotiation for claims, a Minister returns to this country, after years of the most laborious exertion of the highest talent, with an injured, if not a broken fortune, his country ignorant of his exertions, and undervaluing them, perhaps, if known. On the whole, there is scarcely an office of which the duties, properly performed, are more arduous, more responsible and less fairly appreciated than that of Ministers to a country with which we have important commercial relations. Yet there is some reason to believe that appointments to them are sometimes eagerly sought from the same false ideas of the nature of the employment. To these mistaken ideas, more or less prevalent, may be traced many of the evils which have operated and still operate injuriously upon the interest and reputation of the country.

At home, the head of every subordinate bureau attached to any of the departments has an office and a messenger, and clerks, and fire, and stationery, and lights, and every convenience for carrying on the business intrusted to him. This is as it should be. But to represent the dignity of the country, and on scant salary to transact its most important concerns abroad, we send a man whom we provide with none of these necessaries for the transaction of his business; we force him to do all the drudgery of the office with his own hands, and either to live in some obscure place, where his countrymen blush to find him fixed, when, after some difficulty, they have discovered his tavern residence; or, at the expense of his own fortune, to provide what is necessary for the interest and dignity of the Government. The usual answer to these representations is that, notwithstanding all these inconveniences, candidates are always found eagerly seeking these appointments.

But it must be remarked that these candidates are of two kinds. First, men of wealth, who are willing to purchase the honor of the station at the expense of their private fortunes. But, although these are not always the fittest, in other respects, for the place, they are sometimes selected, and their appointment is popular, because there seems to be no objection to a Minister's keeping up a decent appearance, provided he does it at his own expense. Secondly, there are others who seek these appointments because they make false calculations on the consequences. They resolve to be very economical, to live within their income, and to be drawn into no extravagance. But, on arriving at their place of destination, they find that expenses which might, with prudence, have been avoided here, are inevitable abroad. Civilities are received which must be returned; strangers are introduced who must be entertained; their countrymen call on them and must be treated hospitably.

In short, they find themselves obliged to live as others do, or to forego all the advantages which social intercourse would give them in the business of their mission. The consequence is, that all our Ministers returned with impaired fortunes, however firm their resolutions have been to avoid unnecessary expense. It is possible there may be exceptions; but they are certainly very rare. If the mission is useful, it ought to be supported at the public, not at private, expense; and the representatives of a great nation ought not to be obliged to employ, in devising parsimonious expedients for their support, that time and those talents which ought to be occupied in the service of their country.

(Mr. Allen, of Mississippi, addressed the committee.)

The question was taken on the amendment of Mr. Burnes, and the amendment was not agreed to.

The Clerk read as follows:

SALARIES SECRETARIES OF LEGATIONS.

Secretaries of the Legations in Berlin, China, Japan, London, Paris and St. Petersburg, at $2,625 each, $15,750.

Mr. BURNES.— Mr. Chairman, I make the point of order that the salary of the Secretary of Legation in China is provided for in the present bill at $2,625, while in a subsequent paragraph of the bill the salary of the interpreter is fixed at $3,000, thus dividing the salary fixed by law for the two offices, which may be held by one person, into two parts. The law provided that the office of Secretary may be held by an interpreter and limited the salary for the service at $5,000. Now, by the division which this bill proposes, the salary, in place of being $5,000 for the two, is fixed at $5,625. The aggregate appropriation is $625 more than the law authorizes.

The CHAIRMAN.— The Chair will hear the gentleman from New York on the point of order.

Mr. BELMONT.— Mr. Chairman, the office to which the gentleman from Missouri refers is, I suppose, fixed under the law of 1856, and this provision here is simply a repetition of what has occurred in diplomatic and consular bills for several years passed.

As to the salary of the interpreter, I will ask the Clerk to read this letter, addressed to me by Mr. Cox, of New York, during the last month.

The Clerk proceeded to read the communication.

The CHAIRMAN (interrupting the reading).— The Chair does not think that this bears on the point of order.

Mr. BELMONT.— It appears to me that it does.

Mr. BURNES.— I do not think the gentleman from New York has understood the proposition.

Mr. BELMONT.— I understand it perfectly.

Mr. BURNES.— The letter the gentleman sent up to be read has reference to the interpreter at Constantinople, not to the interpreter and Secretary of Legation in China.

Mr. BELMONT.— My object was to impress upon the House the necessity for these interpreters in the East, and I know of no better testimony than that of our late Minister to Turkey.

I ask for a decision of the Chair.

The CHAIRMAN.— The Chair sustains the point of order.

The Clerk read the following paragraph:

Second Secretaries of the Legations in China and Japan, who shall be American students of the language of the court and country to which they are appointed respectively, and shall be allowed and required, under the direction of the Secretary of State, to devote their time to the acquisition of such language, at $1,800 each, $3,600.

Mr. HOLMAN.— This, I believe, is a new provision.

Mr. BELMONT.— It is not a new provision.

Mr. HOLMAN.— I make the point of order on it.

Mr. BELMONT.— It was contained in last year's appropriation bill.

Mr. HOLMAN.— That is true, but it is not provided for by law. I find that in the former legislation, where the salaries were fixed and which went into the Revised Statutes of the United States, there are three second secretaries provided for — in France, Germany and Great Britain; those are the only ones. And in the Act of 1879 the same are provided for:

For the salaries of Second Secretaries of Legation in Great Britain, France and Germany.

In the Act of 1879, as well as in the Act of 1856, there are only three Second Secretaries provided for. I concede it may be that in the last appropriation bill provision was made for Second Secretaries of the Legations in China and Japan, but that does not change the law.

The point I make, is that there is no law authorizing this expenditure, no law creating these offices of Second Secretaries at Japan and China. It has been so repeatedly held that an appropriation bill does not change the law if it is simply the current appropriation from year to year that it is hardly necessary to discuss that subject. I content myself with sending to the Chair the two statutes showing that no such officers are provided for by either of the statutes which are recognized as the basis of the consular system.

Mr. BELMONT.— I think the House should be made aware of the result of the strict application of this rule. If it is to be followed all the way through, I admit that many offices which have been created since 1879, for which salaries are here simply repeated, will be either abolished or greatly reduced in compensation.

I have a list here of offices, some of them created since 1879, and appropriations made for them in certain cases by the committee of which the gentleman from Indiana (Mr Holman) is a member. In case the rule is applied all the way through and the bill is made to conform to the act

of 1879, Ecuador would have to be changed from a consul-generalship at $3,000 to a consulate at $1,000; Panama, from a consul-generalship at $4,000 to a consulate at $3,000; St. Petersburg, from $3,000 to $2,000; Mexico, from $2,500 to $2,000. And the following consulates must be reduced in rank and amount: Hong-Kong, from $5,000 to $4,000; Belfast, from $3,000 to $2,000; Leith, from $2,500 to $2,000; Smyrna, from $2,500 to $2,000; Jerusalem, from $2,000 to $1,500; Palermo, from $2,000 to $1,500; Apia, from $2,000 to $1,000; Southampton, from $1,500 to $1,000; and Ceylon, from $1,500 to $1,000, while the following consulates to which Consuls have been appointed by the President and confirmed by the Senate would have to be abolished altogether, not being provided for in the Act of 1879: Nottingham, $2,500; Sydney, $2,000; Maracaibo, $2,000, Sagua la Grande, $2,000; Crefeld, $2,000; Tegucigalpa, $2,000; San José, $2,000; Managua, $2,000; San Juan del Norte, $2,000; San Salvador, $2,000; Manila, $2,000; Amherstburg, $1,500; Antigua, $1,500; St. Stephens, $1,500; Malta, $1,500; Guadeloupe, $1,500; Aix-la-Chapelle, $1,500; Paso del Norte, $1,500; Puerto Cabello, $1,500; Para, $1,500; Sivas, $1,500; Mozambique, $1,000; Nuevo Laredo, $1,000; and Piedras Negras, $1,000.

In other portions of the bill, the House, to maintain consistency and to conform to the Act of 1879, ought to strike out the appropriation for the Secretary of Legation to Turkey. The Envoys Extraordinary to Central America and to Colombia should each be Ministers resident, instead of Ministers resident and Consuls-General. To Portugal, Denmark and Switzerland, there should only be a chargé d'affaires to each of those countries; instead of a Minister resident and Consul-General at Siam, there should only be a Consul at $3,000 instead of $5,000; and the Minister resident and Consul-General to Lisbon, at $5,000, should be a Consul simply at $2,000.

I desire to say, Mr. Chairman, that the application of this rule must prove to the House that much necessary legislation is utterly impossible while it is maintained, and there must be with a view to that legislation some change in the rules of the House. I offered on the 14th of June last an amendment to cover just the difficulty. I proposed to amend section 4 of Rule XXIII by inserting, after the word "harbors," in line 4, the sentence which I have italicized.

In Committees of the Whole House business on their calendars shall be taken up in regular order, except bills for raising revenue, general appropriation bills, bills for the improvement of rivers and harbors, *and bills for the reorganization of, or retrenchment of expenditure in, any branch of the legislative, executive or judicial departments of the Government,* which shall have precedence, etc.

I merely call attention to this proposed change in the belief that when Congress reassembles this matter of rules will force itself upon the attention of members. And I do not know any better illustration of the necessity of a change than the manner in which it is found possible for a few gentlemen to destroy the whole work of a committee, as we see here to-day. So far as I am concerned in representing that committee, I shall take occasion to offer the amendments to the bill, as the occasion arises, in conformity with the points of order raised and decided.

(Messrs. Clements and Allen, of Mississippi, addressed the committee.)

The CHAIRMAN.— The Chair is ready to state his decision. This question has been so frequently ruled upon heretofore, and uniformly one way, that the Chair conforms, without hesitation, to the previous rulings, and sustains the point of order.

The Clerk read as follows:

Secretaries of the Legations in Austria, Brazil, Italy, Mexico, Spain and Turkey, at $1,800 each, $10,800.

Mr. BURNES.— Mr. Chairman, the Secretary of Legation at Constantinople, as fixed in this bill, is $1,800. Under section 1675 of the Revised Statutes the salary should be fifteen per cent. of that of the Minister, which would be less than $1,500.

Mr. BELMONT.— I do not desire to contest the ruling of the Chair on the point of order; but I have only to say that this item is a repetition of the appropriations hitherto made for a number of years.

The CHAIRMAN.— The Chair sustains the point of order.

The Clerk read as follows:

Secretaries of the Legations in the Argentine Republic, Belgium, Chili, Corea, Netherlands, Roumania, Servia, and Greece, Peru, Sweden and Norway, Switzerland and Venezuela, at $1,500 each, $15,000.

Mr. McCREARY.— I raise a point of order on this section; and in support of the point I will read the third subsection of Rule XXI:

No appropriation shall be reported in any general appropriation bill, or be in order as an amendment thereto, for any expenditure not previously authorized by law, unless in continuance of appropriation for such public works and objects as are already in progress; nor shall any provision changing existing law be in order in any general appropriation bill or in any amendment thereto.

The paragraph just read by the Clerk is new legislation, never embraced heretofore in the diplomatic and consular appropriation bill. There is no law justifying this provision.

Mr. BELMONT.— Under the present ruling of the Chair I do not dispute the correctness of the view suggested by my colleague on the committee, the gentleman from Kentucky (Mr. McCreary). These are new provisions with the exception of Chili and Peru. Their purpose, I think, might as well be stated to the House. At the outset of this discussion the gentleman from Missouri spoke of cases where there were vacancies in the office of Minister and the duties were performed by the Secretary of Legation. The idea contemplated by the paragraph now under consideration is that each of these Ministers should be provided with a Secretary of Legation, so that in case of a vacancy in the office of Minister, caused either by death or leave of absence, there might be some established means of diplomatic communication. An incident lately occurred in which, very much to the detriment of our interests, there was no Secretary of Legation to perform the duties after the Minister had returned home. In that case the diplomatic correspondence was carried on by courtesy through the English Minister. I refer to the case of Persia. It is certainly very unfortunate for this country if we are compelled to seek the assistance of diplomatic agents of a foreign power in order to carry on our correspondence. The purpose of the legislation proposed in this paragraph, although it may be amenable to the point of order which the gentleman from Kentucky has raised, is to avoid such an unfortunate condition of affairs with reference to the interests of this country. I will not detain the House longer on this question.

The CHAIRMAN.— The Chair sustains the point of order.

The Clerk read the paragraph, for salaries of interpreters to legations.

Mr. BURNES.— I make the point of order that in this paragraph there is, in violation of the law of 1879, an increase in the appropriation for the interpreter to the legation at Bangkok, Siam. The appropriation should be $500 instead of $800. In the same paragraph there is an increase for the interpreter to the legation in Turkey; but this increase being authorized by the law of 1879, no point of order can be raised against it.

Mr. BELMONT.— I think the gentleman who raises the point of order should at least consider the reason for the increase.

Mr. HOLMAN.— I suggest that the point of order might apply to the entire provision. I believe this is an office created by an appropriation bill.

Mr. BELMONT.— Do I understand the gentleman to say that the point of order applies in the case of Turkey?

Mr. HOLMAN.— The interpreter to the legation in Turkey is expressly provided for by law at $3,000, but the provision in reference to Siam is not in the former law.

The CHAIRMAN.— The Chair sustains the point of order.

The Clerk read as follows:

CONTINGENT EXPENSES FOREIGN MISSIONS.

For the purpose of enabling the President to provide, at the public expense, all such stationery, blanks, record and other books, seals, presses, flags and signs as he shall think necessary for the several legations in the transaction of their business, and also for rent, postage, telegrams, furniture, messenger service, clerk hire, compensation of cavasses, guards, dragomans and porters, including compensation of interpreter, guards and Arabic clerk at the consulate of Tangier, and the compensation of dispatch agents at London, New York and San Francisco, and for traveling and miscellaneous expenses of legations, and for printing in the Department of State, $105,000.

Mr. BURNES.— I make a point of order against the paragraph just read. I wish to call particular attention to the law on this subject, to be found in section 1748 of the Revised Statutes. Whatever authority there may be for this appropriation rests upon that section, which defines the objects for which these appropriations may be made. Let me read the section?

The President is authorized to provide, at the public expense, all such stationery, blanks, record and other books, seals, presses, flags and signs as he shall think necessary for the several legations, consulates and commercial agencies in the transaction of their business.

Of course, sir, so far as concerns an appropriation for any one of the items here enumerated, the point of order can not be sustained; but I wish to call attention to the items of expenditure which this bill proposes to authorize, when there is no law sanctioning such expenditure. But I must say some of them seem to me to be extraordinary. Let me read it?

(The paragraph was read.)

I should say by subsequent legislation appropriation for rent and postage is authorized, but all the other items are unauthorized and are most extraordinary.

But when we take the provision as an entirety, I beg to submit to my learned friend he might as well have made this appropriation of $105,000 by saving $105,000, to be expended by the Secretary of State for the general welfare.

* * * * * * *

All of this appropriation can be expended for the sole item of printing in the State Department. Every dollar of this appropriation can be expended by the dispatch agents at London, New York and San Francisco. Every dollar can be expended for the compensation of interpreter, guards, and Arabic clerk at the consulate at Tangier.

This is not an appropriation. This is simply a fund given to a high official to expend at his pleasure. I have as much respect for that distinguished gentleman as any member on the floor ought to have, but I will never consent, so far as I am concerned, to an indiscriminate appropriation of money to be used according to the sweet will of any official, high or low.

I would call attention in connection with this proposition to the printing in the Department of State. * * *

Mr. BELMONT.— The gentleman from Missouri has said this is an extraordinary provision, and he has read the items with great impressiveness, and yet it is nothing more than a simple repetition of last year's appropriation. There is absolutely nothing new in this paragraph. It provides for the contingent expenses of foreign missions, and that is all. An appropriation has been annually made for this purpose for many years, even before my distinguished friend from Missouri was a member of the House.

Out of the appropriation rent has been paid, and postage and telegrams, and it has been used for other purposes.

Why, last year, for the first time, a detailed statement was given in the bill of the purposes to which this contingent fund might be applied, to meet the views of the first Comptroller of the Treasury, who objected to an appropriation in bulk, and at his suggestions the list of objects to which the contingent fund had hitherto been applied was set in this bill.

As far as the printing in the State Department is concerned, a great deal of the printing for the department is done at the Public Printing Office, but it seems to me there is no reason why the Government should not provide the necessary facilities to do this printing in the department, for the purpose of keeping certain communications secret for a time. There have been communications sent to the present Committee on Foreign Affairs upon an important question now pending, and their printing, as well as the printing of certain important dispatches, was performed in the State Department, where it ought to have been done.

This is last year's provision, a very useful one; and so far from giving the Secretary of State any latitude in this respect, it is enough to say that he has always had greater latitude until last year, when these items were enumerated, and which we now simply repeat in this bill. There is nothing new, or extraordinary or strange about it.

Mr. HOLMAN.— * * * * * *

But the gentleman from Missouri, in view of the fact, I presume, that there have been appropriations made by way of contingencies for rent and postage heretofore, does not make the point of order upon these two items, but simply upon the residue of the paragraph, which is not enumerated in the law; and while the most of these might be contingencies for the foreign service under ordinary circumstances, they can not be contingencies under the present rules of the House, so established by legislation as to justify an appropriation of money. In other words, the affirmative law excludes the attempt to appropriate beyond the purposes enumerated under the general law. This is more apparent when you come to consider that not only are the contingencies here for the foreign service beyond that authorized by law, but they are contingencies for the State Department at home, with which this bill has nothing to do.

Mr. BELMONT.— The gentleman from Indiana states that under these contingencies we may provide for rent and postage; but he denies —

Mr. HOLMAN.— What I said was that the point of order was not made on those two items.

Mr. BELMONT.— But the gentleman denies that the necessities of foreign intercourse include telegrams.

Mr. HOLMAN.— The gentleman mistakes my statement. I deny that the law authorizes any such expenditure.

Mr. BELMONT.— Where does the law authorize postage and exclude telegrams?

Mr. HOLMAN.— Does the gentleman not concede those are not embraced in the law?

Mr. BELMONT.— The gentleman from Missouri (Mr. Burnes) was so kind as not to include rent and postage in his point of order.

Mr. HOLMAN.— The gentleman from Missouri did not make the point of order on those items, because they have been provided for from time to time.

Mr. BELMONT.— Then it simply depends on the good-will of the gentleman from Missouri what items shall be included. It seems to me if this — I was about to say absurd and narrow rule — is to be applied at all it should be applied in full. It should not depend on the kindness of the gentleman from Missouri that rent should be provided for our foreign service or postage while he stops at telegrams. And I submit to the Chair if the view of the gentleman from Indiana is correct we should strike out the provision for rent, the provision for postage, and all the rest. I think we ought to be consistent in this matter.

Mr. HOLMAN.— How about the printing?

Mr. BELMONT.— I will answer the gentleman in this way. I think it is notorious — and certainly the course of this bill has proved it — that the Committee on Appropriations as now constituted is hostile in every sense to our foreign service. I do not know but some gentlemen believe we might get along without foreign service.

Mr. HOLMAN.— We might get along very well without our diplomatic establishment, but our consular system ought to be encouraged in the highest degree.

Mr. BELMONT.— The gentleman from Indiana acknowledges that he is in favor of getting along, as he says, without the diplomatic service, although the greatest authority on international law, Mr. Wheaton, says that "international assent to the system for a long period of time has given to the custom the force of an obligation upon all civilized powers, and it can not be abandoned without the assent of nations."

Mr. WILSON.— May I ask the gentleman from New York why he interprets the action of two gentlemen who are members of the Committee on Appropriations as the action of the committee?

Mr. BELMONT.— I am glad to hear that statement. As to the necessity of diplomatic service —

(Here the hammer fell.)

Mr. BELMONT.— I move to strike out the last word.

The CHAIRMAN.— The Chair desires the debate to be confined to the question of order.

Mr. BELMONT.— The gentleman from Indiana asked me why the Committee on Foreign Affairs undertook the management of this provision. I reply, it must be known to the House how hopeless it is to establish through the Committee on Appropriations anything useful to our diplomatic service.

The CHAIRMAN.— The Chair is prepared to rule on the point of order.

Mr. BURNES.— Before the Chair makes his ruling I desire to make a correction. I find the law does not include rent and postage for the mission abroad, but it includes rent and postage for the consulates abroad. Therefore, rent and postage for these missions are not allowed under existing law.

Mr. BELMONT.— I would like to ask if, under the rules of the House, it is possible to practically abolish a mission for which an appropriation has been made by refusing to appropriate for rent. I mean to say that the purpose of the gentleman seems to be, while he can not abolish a mission or refuse to appropriate the salary, to withdraw the appropriations necessary to keep up the mission.

Mr. BURNES.— That is the fault of the law, not of the member who makes the point of order.

The CHAIRMAN.— The Chair is not responsible for any consequence of the rule. He is simply to decide the questions of order submitted to him. It is conceded there is no authority of law for an appropriation covering these items. The Chair, therefore, sustains the point of order.

The Clerk read as follows:

Erection of buildings for legation, courthouse and jail at Tokio, Japan, upon ground offered to the United States by the Government of Japan, $25,000.

(Mr. Cox, of North Carolina, addressed the committee in behalf of the appropriation.)

(Mr. McCreary raised a point of order that there was no law authorizing the expenditure.)

Mr. TAULBEE.— Mr. Chairman, in response to what has been said by the gentleman from North Carolina (Mr. Cox), I wish to inquire of him if it is the policy of this Government to accept donations from foreign powers by which, as a matter of course, we are to be brought under obligations to them.

So far as I am concerned, I am opposed to any such policy, and I am opposed to a bill which tolerates any such proposition as that. If this Government wants a site for a legation in Japan, or in any other country, whether it costs $25,000 or $100,000, this Government is able to pay for it, and I am very glad that my colleague on the committee raised this point of order.

Mr. BELMONT.— Mr. Chairman, I shall not resist the point of order, but I think that the question of the gentleman from Kentucky (Mr. Taulbee) should be answered. There is a precedent in the case of Tangier, where the United States accepted a gift of consular premises from the Emperor of Morocco in 1822, and has since made appropriation for their repair.

The Chair sustained the point of order.

* * * * * * *

After the consideration of several paragraphs the Clerk read as follows:

For expenses which may be incurred in the acknowledgment of the services of masters and crews of foreigns vessels in rescuing American seamen or citizens from shipwreck, $4,500.

Mr. BURNES.— Mr. Chairman, the amount authorized by the statute for this purpose is $4,000. The object is simply to enable the Secretary

to give a little more expensive gifts by way of recognition of heroic deeds. I make the point of order upon the paragraph.

Mr. BELMONT.— Mr. Chairman, this restores the appropriation that was made from 1882 to 1886, inclusive.

The point of order was withdrawn.

The Clerk read as follows:

To meet the necessary expenses attendant upon the execution of the Neutrality Act, to be expended under the direction of the President, pursuant to the requirement of section 291 of the Revised Statutes, $15,000, or so much thereof as may be necessary.

To enable the President to meet unforeseen emergencies arising in the diplomatic and consular service, and to extend the commercial and other interests of the United States, to be expended pursuant to the requirement of section 291 of the Revised Statutes, $50,000, or so much thereof as may be necessary.

Mr. BURNES.— * * * At the first session of the Forty-eighth Congress the House determined not to appropriate for this secret service, the appropriation for that purpose being refused by a vote of the House for the committee. At the second session of that Congress it was believed that, as great changes were made in the foreign service, large expenditures would follow for those changes, and that consequently the President ought to have some fund from which he could defray those expenses. Therefore, in the second session of the Forty-eighth Congress, when the committee was not restricted as under the present rules, but was authorized to legislate, this section was adopted, "to enable the President to meet unforeseen emergencies arising in the diplomatic and consular service," but everything relating to the appropriation of $15,000 was left out of the bill.

Now, the present bill appropriates not only the $15,000 for the secret service, but the $50,000, which, in the second session of the Forty-eighth Congress, was intended to stand in lieu of the other provision for meeting the expenses that might attend these unforeseen emergencies in the service. I submit, therefore, that on a point of order this paragraph should go out; and I put it simply on the ground of its being cumulative.

Mr. BELMONT.— Mr. Chairman, these two provisions were contained in last year's appropriation bill. I remember well that the gentleman from Missouri (Mr. Burnes), when he had this bill in charge, found great objection to what he called the "secret service fund;" and at that time a provision of this sort was excluded in the House. The Senate, however, being, as usual, compelled to correct such unfortunate mistakes as are sometimes made on this bill in the House, restored the provision;

but, in order that this prejudice against what is called a "secret service fund" should be overcome, the second provision was adopted in the House under the direction of my friend from Missouri.

Both sections are founded upon section 291 of the Revised Statutes. They are not cumulative in the least degree. The first section provides for what is known as the "neutrality fund." It is a necessary fund, and has been appropriated year after year, excepting the year when this bill was in charge of the gentleman from Missouri. It is necessary that our neutrality should be observed; and there never has been any question as to the usefulness of the fund. As showing that this provision is in order, I will simply refer the Chair to section 291 of the Revised Statutes. The succeeding paragraph of the bill is also founded upon that statute in this sense, that the expenditure is made upon the voucher of the President; but the purpose of the fund, as can be at once understood by reading the paragraph, is a different one. The provisions are not cumulative, and they are authorized by existing law.

The CHAIRMAN.— The Chair overrules the point of order.

The Clerk read as follows:

Consuls-General at Calcutta, Kanagawa, Panama and Shanghai, at $6,000 each, $24,000.

Mr. BURNES.— The law provides that the salary at Kanagawa shall be $4,000, and at Panama $3,000. I make a point of order on this paragraph.

[MR. BLOUNT, OF GEORGIA, EXPLAINS HIS RULINGS, AS CHAIRMAN OF THE COMMITTEE OF THE WHOLE, ON THE POINTS OF ORDER RAISED ON THE CONSULAR AND DIPLOMATIC APPROPRIATION BILL.]

The CHAIRMAN.— In view of the discussion upon the point of order in the general debate, the Chair was troubled somewhat as to the rule relating to the schedules containing the salaries of Consuls and changing their classification. Observing what had been the practice on the legislative, executive and judicial appropriation bill, where classifications somewhat similar to these are frequently rearranged, the Chair thought the analogy indicated that the same practice which had been so often applied in that bill to the classes embraced therein might be applied here. It was a very important question; and the Chair felt bound to recur to the original rule with its various amendments in order that he might ascertain, if possible, whether there was not some more certain way of reaching the truth than by analogy. The Chair, therefore, begs the at-

tention of the committee in the first place to the rule in the Twenty-fifth Congress, which had obtained from 1820. The Chair will cause that rule to be read.

No appropriation shall be reported in such general appropriation bills, or be in order as an amendment thereto, for any expenditure not previously authorized by law.

The CHAIRMAN.— In the Congressional Globe, second session, Twenty-fifth Congress, volume 6, page 235, will be found the record of an amendment to this rule, with the debate thereon. The Clerk will read from the proceedings of March 13, 1838, as embraced in that volume.

The Clerk read as follows:

Mr. Cambreling asked the House to take up the proposed amendment of Mr. Briggs to the sixty-third rule of the House, which was to add thereto the following:

"Unless in continuation of appropriations for such public works of objects as are already in progress, and for the usual contingencies for carrying on the several departments of the Government."

The motion of Mr. Cambreling being agreed to,

Mr. Phillips moved to strike out the word "usual," which was accepted by Mr. Briggs as a modification, and the amendment of the rule was agreed to by two-thirds.

The CHAIRMAN.— This rule was changed in the Forty-fourth Congress, and the Chair will cause the Clerk to read it as it was proposed by Mr. Cox.

The Clerk read as follows:

Mr. COX.— The Committee on Rules have directed me to report, in response to a resolution of the House, the following amendment to the rules:

"That rule No. 120 be so amended that all after the word 'progress' be stricken out and there be added the following:

"'Nor shall any provision in any such bill or amendment thereto, changing existing law, be in order except as, being germane to the subject-matter of the bill, shall retrench expenditures.'"

* * * * * * *

Mr. BURCHARD, of Illinois.— I would like to have Rule CXX read as it now stands.

The Clerk read as follows:

"No appropriation shall be reported in such general appropriation bills, or be in order as an amendment thereto, for any expenditure not previously authorized by law, unless in continuance of appropriations for such public works and objects as are already in progress, and for the contingencies for carrying on the several departments of the Government.

Mr. COX.— Now, I ask the Clerk to read the paragraph which, in the Digest, immediately follows this rule, and gives an interpretation to a portion of the rule which the committee have thought proper to strike out.

The SPEAKER.— The Clerk will read from the Digest the construction which has been placed on this by previous Speakers of the House.

The Clerk read as follows:

"It has been decided that under this rule it is not in order to propose an amendment to a general appropriation bill which changes an existing law. But it was also decided that the latter branch of the rule not only permitted amendments increasing salaries, but was framed for that very purpose."

The CHAIRMAN.— It appears that provisions for contingencies for carrying on the several departments of the Government up to that time had been one under which salaries had been increased. That provision was expressly repealed. There was left, therefore, only "works or objects in progress," which, perhaps, related to public buildings, with the qualification added by the amendment of Mr. Cox, of New York, just cited, permitting legislation, when germane, which would retrench expenditures.

In the Forty-sixth Congress that rule was amended, and it appears, as modified, in the following language:

Nor shall any provision in any such bill, or amendment thereto, changing existing law be in order, except such as, being germane to the subject-matter of the bill, shall retrench expenditures by reduction of the number and salary of the officers of the United States, by the reduction of the compensation of any person paid out of the Treasury of the United States, or by the reduction of amounts of money covered by the bill: *Provided,* That it shall be in order further to amend such bill upon the report of the committee having jurisdiction of the subject-matter of such amendment, which amendment, being germane to the subject-matter of the bill, shall retrench expenditures.

The CHAIRMAN.— At the beginning of this Congress that rule was changed, and now reads in this form:

3. No appropriation shall be reported in any general appropriation bill, or be in order as an amendment thereto, for any expenditure not previously organized by law, unless in continuation of appropriation for such public works and objects as are already in progress; nor shall any provision changing existing law be in order in any general appropriation bill or in any amendment thereto.

The CHAIRMAN.— This rule, therefore, leaves the question clear that there can not be any legislation proposed to an appropriation bill, except as it relates to such public works and objects as are already in progress. And the consideration of the clause for carrying on the contingencies of the several departments of the Government, and the fact that it relates to salaries, discloses the purpose of the House to exclude from the appropriation bills any proposition increasing or reducing salaries at all. Whatever "works in progress" may mean, it certainly does not mean anything relating to salaries of Government officials.

Therefore, the Chair sustains the point of order, and will exclude all propositions increasing salaries of persons in the consular and diplomatic service when the question is raised.

Mr. COX, of North Carolina.—I submit, Mr. Chairman, that under the rulings of the Chair a vast number of changes must be made from page 8 down to the middle of page 17; and, therefore, I would suggest to the Chairman and to the gentlemen on the other side who have called attention to the necessity for these changes, whether it would not be better to read over the changes already made in order that the bill may be made to conform to them.

Mr. BELMONT.—I think we can easily arrive at the result the gentleman seeks by reading the bill by sections and making the amendments which are necessary.

The CHAIRMAN.—The Clerk will read.

The Clerk read as follows:

Consuls-General at Berlin, Ecuador, Halifax, Honolulu, Mexico, Montreal and St. Petersburg, at $4,000 each, $28,000.

Mr. BELMONT.—I move to strike out, in line 179, the word "Ecuador," and insert it in line 128, changing the footing accordingly.

OPPOSITION TO CONFUSE.

Mr. BURNES.—I trust the gentleman will yield to me for an observation. I would suggest that, in striking out a word, he also name the line in which it will be placed subsequently.

The CHAIRMAN.—The Chair would suggest that the regular way would be to strike out, when you reach the point where it is, and insert it afterward by amendment where it ought to be.

The gentleman from New York moves to strike out the word "Ecuador" in line 179.

Mr. BELMONT.—Also the word "Halifax."

Mr. McCREARY.—And "Mexico," in line 180.

Mr. BURNES.—And "St. Petersburg," in the same line.

Mr. BELMONT.—I do not know that my friends need be so anxious about the proposition to amend the bill. I can take care of it myself. If the Chair will recognize me in this matter I can perfect the bill as we go along without any confusion.

The CHAIRMAN.—The gentleman from New York has charge of the bill, and the Chair will certainly recognize him for the necessary amendments which the ruling will necessitate.

Mr. BELMONT.— Then I move to strike out, as I have said, "Ecuador" and "Halifax," in line 179.

The amendment was agreed to.

Mr. BELMONT.—I now move to strike out "Mexico" and "St. Petersburg," in line 180.

The amendment was agreed to.

The Clerk read as follows:

Consuls-General at Constantinople, Frankfort, Matamoras, Rome and Vienna, at $3,000 each, $15,000.

Mr. BELMONT.— I move to insert —

Mr. HOLMAN.— I make the point of order here.

The CHAIRMAN.— The gentleman will state it.

Mr. HOLMAN.— The point of order is made now for the purpose of avoiding waiving it if this paragraph shall be passed over. I wish to make the suggestion, therefore, to the gentleman from New York to enable him to proceed with the bill without interruption. That it be understood the point of order is pending upon the increases in all these consulates, and the gentleman can then go on and perfect the bill and the point of order be reserved to be determined hereafter.

Mr. BELMONT.—I am perfectly aware of the increase here, and have no desire to avoid the point of order.

The CHAIRMAN.— The Chair understands, then, the point of order is withheld.

Mr. HOLMAN.— I reserve the point of order with the understanding that it may be made upon all the increases in these consulates.

Mr. BELMONT.— I move to insert in line 182 the word "Ecuador."

The amendment was agreed to.

Mr. BELMONT.— Also, in line 183, to insert the words "St. Petersburg."

Mr. BURNES.— I make the point of order that St. Petersburg is limited by law to $2,000.

Mr. BELMONT.— It should go in line 183.

The CHAIRMAN.— The gentleman will state the point of order.

Mr. BURNES.— On page 398 of the Supplement of the Revised Statutes it is provided that the salaries of the Consuls-General at St. Petersburg and Mexico shall be fixed at $2,000. This is the law of 1879.

Mr. REED.— Would it not be a good idea to refer the bill back to the committee to perfect it?

Mr. BELMONT.— There is no difficulty about perfecting the bill here. I accept the amendment of the gentleman from Missouri as suggested

by his point of order, and ask that the words "St. Petersburg" be inserted in their proper place.

The CHAIRMAN.— The gentleman, then, withdraws his amendment?

Mr. BELMONT.— I do.

I move that the word "Matamoras" be stricken out of lines 182 and 183.

The amendment was agreed to.

Several paragraphs having been considered the Clerk read as follows:

Class 2, at $3,500 per annum:
Argentine Republic: Consul at Buenos Ayres.

Mr. BELMONT.— I move that the words "Buenos Ayres," in line 190, be stricken out.

Mr. Chairman, when we come to the classification of these consulates it will greatly facilitate the committee to make the transfer from one class to another. For instance, the words "Buenos Ayres" should be stricken out here and put in their proper place in alphabetical order. It belongs properly to class 4.

The CHAIRMAN.— That can only be done by unanimous consent.

Mr. HOLMAN.— That is all right.

The CHAIRMAN.— The Chair would suggest to the gentleman from New York that it is likely to result in confusion if the clerks are not allowed to proceed in the usual way to make these amendments.

Mr. BELMONT.— What I suggested just now seems to be perfectly satisfactory to the gentleman from Indiana. It appears to me the Clerk will have no difficulty in making those transfers.

The CHAIRMAN.— The Chair will say, in reference to various suggestions that have been made, that it will be impossible for the clerks to keep the record correctly unless the paragraphs are read in consecutive order.

Mr. BELMONT.— I offer the amendment which I send to the desk.

In lines 189 and 190, strike out "Argentine Republic: Consul at Buenos Ayres," and insert these words in class 4, after line 228.

The CHAIRMAN.— The class to which the amendment proposes to transfer those words has not been reached.

Mr. BELMONT.— This method would very easily carry out the purpose of the committee.

Mr. REED.— Such is the very complicated nature of these amendments that I think it would be well for the committee, from time to time,

to rise and report progress, that the House may be advised what is being done. I merely make the suggestion.

Mr. BELMONT.— The gentleman from Maine need not worry himself about it.

Mr. REED.— I do not.

The CHAIRMAN.— The Chair desires to say again that it is not in order to amend a paragraph until it has been reached. The Chair also makes this statement because he is informed by the clerks that the usual method of proceeding must be observed to keep the record correct.

Mr. BELMONT.— Then I move to strike out the words "Argentine Republic: Consul at Buenos Ayres."

Mr. REED.— The amendment is a proposition to strike out. I hope the Chairman will explain where that leaves the bill. This is getting somewhat complicated.

Mr. BELMONT.— I do not think it necessary to give any explanation.

The question being taken, the Chairman stated that the "ayes" seemed to have it.

Mr. REED.— I call for a division.

The committee again divided; and the tellers reported — ayes, 38; noes, 41.

So (further count not being called for) the amendment was disagreed to.

Mr. HOLMAN.— I believe the proposition has been negatived?

The CHAIRMAN.— It has.

Mr. HOLMAN.— I suppose it was understood by the Chair that point of order was regarded as pending to all these propositions; but, as a matter of convenience, the gentleman from New York (Mr. Belmont) was to make the motions as to these consulates in the order in which they occurred. The point of order was reserved.

The CHAIRMAN.— The Chair did not so understand. The bill is being considered by paragraphs as they are reached. There is nothing pending, and the Clerk will read.

Mr. HOLMAN.— I think the point of order should be considered as pending.

Several members called for the regular order.

Mr. BELMONT.— I do not want to take any advantage. The point of order should be considered as pending, and I think my friend from Indiana is perfectly correct. There is only the difficulty raised by the gentleman from Maine.

Mr. REED.— Precisely. The gentleman from New York declines to explain, and leaves the House in absolute darkness.

Mr. BELMONT.— The gentleman from Maine is only repeating what I have seen here so often, and asks for an explanation of what must be clear to him.

Mr. REED.— The gentleman from New York never saw this until the consideration of this bill had been reached.

Mr. BELMONT.— I quite understand the gentleman's purpose to confuse an already rather confused matter. But I do not think he needs any explanation from me about it.

Mr. REED.— I think the gentleman is prevented by something more than his will from giving explanations.

Mr. BELMONT.— I do not think it necessary to explain what must be clear to him and to this House.

The CHAIRMAN.— The Clerk will read.

The Clerk read as follows:

Belgium: Consul at Antwerp.

Mr. BURNES.— I make the point of order. The bill provides a salary for this Consul of $3,500 when the law provides a salary of $2,500.

Mr. BELMONT.— I move to amend.

The CHAIRMAN.— The point of order is raised. Is there any question on the part of the gentleman from New York as to the law?

Mr. BELMONT.— No, sir.

The CHAIRMAN.— The Chair sustains the point of order.

Mr. HOLMAN.— I ask unanimous consent that the point of order shall be considered as applying to all these increases.

Mr. REED.— I want to understand how this matter is. Do I understand the Committee on Foreign Affairs are to move to strike out, and, if that fails, the gentlemen representing the Committee on Appropriations are to throw out the item on a point of order? Is that the request of the gentleman from Indiana? This seems to be a double-action of economy.

Mr. HOLMAN.— It is a very safe action.

The CHAIRMAN.— The Chair will submit the request of the gentleman from Indiana. He asks unanimous consent that the point of order shall be considered as pending on all increases of salary in the bill.

Mr. DIBBLE.— I object.

Mr. HOLMAN.— I call for the regular order.

Mr. BELMONT.— I desire to submit the motions in every case in conformity with the rulings of the Chair. The Chair has in every instance ruled against every increase of salary; and unless gentlemen should, as the gentleman from Maine has sought to do, endeavor to confuse this matter further —

Mr. REED.— That is not necessary after the gentleman from New York has explained it.

Mr. BELMONT.— I propose to submit the motion in every case as it is reached in accordance with the rulings of the Chair.

The CHAIRMAN.— Has the gentleman an amendment to offer now?

Mr. BELMONT.— I move that "Antwerp" be stricken out.

The CHAIRMAN.— That has already gone out on a point of order.

Mr. REED.— Where does that leave Antwerp?

Mr. BELMONT.— It is to be inserted further on.

Mr. REED.— Oh, it is to be put in by and by.

Mr. BELMONT.— Exactly.

The Clerk read as follows:

Consuls at Amoy, Canton, Chin-Kiang, Foo-Chow, Hankow, Ningpo and Tien-Tsin.

Mr. BELMONT.— I move to strike out Ningpo, in line 195.

The amendment was agreed to.

The Clerk read as follows:

France: Consul at Havre.

Mr. BURNES.— I make the point of order on that.

Mr. BELMONT.— I move to strike it out.

Mr. LONG.— I understand that the point of order has been reserved upon all these items.

The CHAIRMAN.— Objection was made to the request for that understanding.

Mr. BURNES.— This goes out on the point of order. If the gentleman wishes to insert it at some other place that is another matter.

Mr. BELMONT.— That should be done.

The CHAIRMAN.— The Chair sustains the point of order.

The Clerk read as follows:

Brazil: Consul at Pernambuco.

Mr. McCREARY.— I move to strike out the last word.

Mr. HOLMAN.— The point of order is reserved, however.

Mr. McCREARY.— I reserve the point of order as to the salary allowed the Consul at Pernambuco. Mr. Chairman, when this bill was being discussed by the gentleman from New York (Mr. Belmont) on the 10th instant, he filed at the close of his remarks certain tables and comments

without reading them, by which he undertook to show that the tables which I had previously submitted were erroneous. I desire to say that, after the most careful investigation, I am satisfied that the tables submitted by me are correct. Table No. 1, presented by me, is an exact copy of the table contained in the report accompanying the bill, and can not be disputed. The criticism of the gentleman from New York (Mr. Belmont) of table No. 2 is wholly untenable.

In estimating fees collected at certain consulates he counted the whole amount collected in certain consular districts instead of confining himself to the amounts collected by each Consul. For instance, the fees collected by the Consul at Cardiff in 1886, as shown on page 17 of the Fifth Auditor's Report, and as stated by me, amounted to $288. The fees collected in the consular district at Cardiff, as stated by the gentleman from New York (Mr. Belmont), shown on page 31 of the Fifth Auditor's Report of 1886, amounted to $1,720.50; but they were derived as follows: Cardiff, $288; Llanelly, $105; Newport, $275; Swansea, $1,052.50.

These items make a total of $1,720. Thus the gentleman counts not only the fees collected by the Consul, but also those collected by the three consular agents.

The bill increases the salary of the Consul at Cardiff from $2,000 to $2,500, and provides for the first time a Consul at Swansea, with a salary of $1,500. There is nothing in the bill or report to indicate that the consular agencies at Llanelly and Newport are abolished.

Mr. BELMONT.— Mr. Chairman, my colleague on the committee is perfectly correct in saying that I took my statement from pages 31 to 35 of the Fifth Auditor's Report, and that was the proper thing to do in making the estimate. My colleague simply took, in the case of Cardiff, the amount of fees collected by that office, but the consular officer over a consular district is entitled to a portion of the fees of the feed Consuls under him; and, therefore, in making the estimates of consulates, the committee and the State Department adopted this course.

Mr. McCREARY.— * * * As to table No. 3, he makes the same mistake. The amount of fees given in the table, as collected in 1886, was taken from the Fifth Auditor's Report of the fees collected in each of the consulates named. In refutation of this, the gentleman from New York stated the fees collected in the consular districts controlled by particular agents named. In the Dusseldorf district, for instance, there was collected $2,575, but only $1,827.50 of this sum was collected at the Dusseldorf consulate; and the Consul being a feed Consul, that sum

represented his annual compensation under the fee system. The bill gives him a specific salary of $2,500.

The balance of the fees were collected by an agent at Essen, who was compensated out of his collections. The interests of commerce demand the continuance of this agent at Essen, and there is nothing in the bill to indicate that he will be discontinued. In the Barranquilla district, the gentleman from New York makes the same mistake, and counts the fees of the whole consular district instead of the fees of the Consul at Barranquilla. The same mistake is made by him as regards every place named in the table.

On page 20 of the report, Reichenberg is shown to be a consular agency, with a compensation in 1886 of $1,000, against fees collected amounting to $4,123. That it has been made a fee consulate since the fiscal year 1886 does not appear from the last report of the Auditor, nor was the contrary stated in the table which it criticised.

(Here the hammer fell.)

Mr. BELMONT.— Mr. Chairman, I move to strike out the last word. I think the House will do well to examine, if it has opportunity, into this table.

I desire to say to the House that in estimating the salaries, in order to reach a proper equalization, when you place a feed Consul in the salaried class, you must take the amount of fees collected in the district. My colleague on the committee (Mr. McCreary) does not seem to appreciate the point that the Consul receives not only the fees coming directly to him, but also a part of the fees from the subagents or officers under him. They send a part of their fees to the Treasury; but a portion goes to the Consul himself. Take the case of Prague and Reichenberg. Under the proposed bill the Consul at Prague receives a salary of $2,500. But the moment you put the present feed Consul at Reichenberg upon a salary, you withdraw so much from the salaried Consul. My friend from Wisconsin (Mr. Bragg) understands this case perfectly well; and I have no doubt that there are other gentlemen on the floor who have had communications from these Consuls. It seems to me my friend from Kentucky should go a step further in his examination of this report of the Fifth Auditor. He would not then say I had made a mistake any more than he would say that the department, in making these estimates, based upon that very principle, had made a mistake.

Mr. McCREARY.— Mr. Chairman, I go by the Fifth Auditor's Report.

Mr. BELMONT.— What page? There are so many tables and so many pages that an examination is very confusing. The gentleman, I think, has got the wrong tables.

Mr. McCREARY.— If the gentleman from New York will look at page 31 of the Fifth Auditor's Report, he will find a statement showing the character and amount of fees collected in consular districts during the fiscal year ending June 30, 1886. He takes his statement from that portion of the report in order to show the whole amount collected in that consular district.

Mr. BELMONT.— That is right.

Mr. McCREARY.— In doing so he commits an error. When I had the honor to address the House I referred simply to the fees collected by each Consul, not the fees collected in each consular district.

Mr. BELMONT.— But you do not estimate the full amount of fees collected.

Mr. McCREARY.— If the gentleman will take, for instance, Cape Town, on page 17 of the Fifth Auditor's Report, it will serve as an illustration of what I am saying. The gentleman, in his table, fixes the amount collected at Cape Town at $1,019.50.

Mr. BELMONT.— That is right.

Mr. McCREARY.— That is the amount collected in the entire consular district. I said in my remarks that the amount collected at Cape Town was $325. I now read from a statement of the consular fees collected in 1886, as shown by the Fifth Auditor's Report:

Cape Town	$325 00
East London	65 00
Port Elizabeth	582 00
Port Natal	47 50
Total	$1,019 50

The error the gentleman commits is in adding together the amounts collected in the entire consular district, when I referred only to the fees collected by the Consul at Cape Town.

* * * * * * *

In his speech of February 10th, published on page 1729 of the Record, he says: "Fees now retained by officers, to be hereafter paid by salaries, $120,000." In the report accompanying the bill under consideration, written by him, page 5, he says that the fees collected by the officers whose positions it is now proposed to fill by salaried Consuls amounted, during the last fiscal year, to $153,000. Here is a difference of $33,000 between his speech and his report.

Mr. BELMONT.— The gentleman does not understand me.

Mr. McCREARY.— Mr. Belmont, in his printed report accompanying this bill, says:

The total consular increase		$274,880
From this again should be deducted, on any fair computation, proportion of fees now collected and retained for salaries, rent and other expenses of consular officers hereafter to be paid by fees	$120,000	
Estimated gain to Treasury from increased collection	150,000	
		270,000
Leaving net cost of consular changes proposed		$4,880
Diplomatic service increase		50,500
		$55,380

In his speech, page 1729 of the Record, he submits the following table:

As shown in the report, the total increase in the diplomatic service (including the cost of legation buildings for Japan and Siam) is			$50,500
The consular increase is (on the face of the appropriations),		$274,800	
Less fees of consular agencies abolished, as shown in appendix to estimates	$10,400		
Less fees now retained by officers, to be hereafter paid by salaries	120,000		
		130,400	
			144,400
			$194,900
From which, if the increase of revenue from closer collections of duties (which, at the lowest estimate, is placed at $150,000) be still further deducted			150,000
Leaves the total cost to the Treasury			$40,900

I do not admit that the conclusions of these tables of the gentleman are correct. His item of $150,000 "estimated gain to the Treasury from increased collections" is a mistake and without foundation. I submit the tables simply to show that there is a difference of $14,480 between the total increase as presented in his report and as presented in his speech.

(Here the hammer fell.)

Mr. BELMONT.— I move to strike out the last word. I do not desire to detain the committee. If my colleague felt compelled to justify his first tables I do not think it should have led him to the conclusion that I had made a mistake.

Mr. McCREARY.— I only refer to it to show you that you do sometimes make a mistake.

Mr. BELMONT.— There is no mistake made by me. I took the whole amount of fees collected by a Consul, because the gentleman from Kentucky was using those fees as a measure of the importance of the position; but he simply took the fees to which the main office was entitled, without reference to consular agents within the jurisdiction of that office, which should be taken into consideration when measuring the importance of the consulate by the fees collected. It was for that reason I said the gentleman from Kentucky was mistaken and had consulted the wrong tables.

As to the estimates presented in the report of the committee, reference to that report will show that the estimated net increase for the consular service was a little over $4,000, and for the whole bill about $54,000. The difference between that amount and the sum of $40,000, which I mentioned in debate, is explained by the fact that in the discussion I deducted the decrease of actual compensation of Consuls by the abolition of offices, and this deduction was not specifically set out in the report, though it was incidentally referred to. It is quite true the report states the amount of fees returned to the Treasury from feed officers is $153,000. Of this $153,000 the Consuls retained $120,000. They did not turn in the full amount, but only retained $120,000.

I have no doubt my colleague will persist in his opinion, but I merely wish the House to understand the method the committee have pursued and the manner in which the estimates have been made at the Department of State, and the basis upon which my tables printed in the Record rests.

My colleague is mistaken in taking a table which shows the amount received by virtue of fees alone, and does not take into consideration the agencies which contribute to the amounts Consuls retain.

Mr. HOLMAN.— What per cent. do those above a thousand dollars get?

The CHAIRMAN.— The gentleman's time has expired.

Mr. McCREARY.— It is so clear to my mind. I will not say more. I insist upon my point of order as to Pernambuco. Three thousand dollars is appropriated in the bill, when the law only authorizes $2,000.

Mr. BELMONT.— In view of the lateness of the hour I move the committee rise.

The motion was agreed to.

CANADIAN NON-INTERCOURSE.

February 16, 1887.

[CONTINUED FROM JANUARY 24, 1887.]

Mr. BELMONT SUBMITTED THE FOLLOWING REPORT, FROM THE COMMITTEE ON FOREIGN AFFAIRS.

The Committee on Foreign Affairs, to which were referred the bills, S. 3173, "An act to authorize the President of the United States to protect and defend the rights of American fishing vessels, American fishermen, American trading and other vessels in certain cases, and for other purposes," and H. R. 1078, "A bill to protect American vessels against unwarrantable and unlawful discriminations in the ports of British North America," respectfully reports in favor of the adoption of Senate bill 3173, with the following amendment, namely, strike out all after the enacting clause and insert the following:

That hereafter whenever the President shall be satisfied that vessels of the United States are denied, in ports or territorial waters of the British dominions in North America, rights to which such vessels are entitled by treaty or by the law of nations, or are denied the comity of treatment or the reasonable privileges usually accorded between neighboring and friendly nations, he may, in his discretion, by proclamation, prohibit from entering the ports of the United States, or from exercising such privileges therein as he may, in his discretion, by such proclamation, define; vessels owned wholly or in part by a subject of Her Britannic Majesty, and coming or arriving from any port or place in the Dominion of Canada, or in the Island of Newfoundland, whether directly or having touched at any other port, excepting such vessels shall be in distress of navigation and of needed repairs or supplies therefor, and he may also forbid the entrance or importation, either by land or water, into the United States, of any goods, wares or merchandise from the aforesaid Dominion of Canada or Newfoundland, or any locomotive, car or other vehicle, with any goods that may be therein contained, from the Dominion of Canada; and upon proof that the privileges secured by article twenty-nine of the treaty concluded between the United States and Great Britain on the eighth day of May, eighteen hundred and seventy-one, are denied as to goods, wares and merchandise arriving at the ports of British North America, the President may also, by proclamation, forbid the exercise of the like privileges

as to goods, wares and merchandise arriving in any of the ports of the United States; and any person violating or attempting to violate the provisions of any proclamation issued under this act, and any person preventing or attempting to prevent any officer of the United States from enforcing such proclamation, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be liable to a fine of not more than one thousand dollars, or imprisonment for a term not exceeding two years, or by both said punishments, in the discretion of the court; and if, on and after the date at which such proclamation takes effect, the master or other person in charge of any vessel thereby excluded from the ports of the United States shall do, in the ports, harbors or waters of the United States, for or on account of such vessel, any act forbidden by such proclamation aforesaid, such vessel, and its rigging, tackle, furniture and boats, and all the goods on board, shall be liable to seizure and forfeiture to the United States; and any goods, wares or merchandise, and any car, locomotive, or other vehicle, coming into the United States in violation of any proclamation as aforesaid, shall be seized and forfeited to the United States.

§ 2. That whenever, after the issuance of a proclamation under this act, the President is satisfied that the denial of rights and privileges on which his proclamation was based no longer exists, he may withdraw the proclamation, or so much thereof as he may deem proper, and reissue the same thereafter when in his judgment the same shall be necessary.

Both measures propose to confer upon the President discretionary powers of proclaiming nonintercourse with the Provinces of British North America. In view of the far-reaching consequences of those powers the committee is impressed with the importance of clearly defining them, so that such nonintercourse as it may be necessary to establish shall be effective and decisive.

Your committee is of opinion that the Senate bill is not sufficiently explicit in this respect. It requires the President to be satisfied that our fishing vessels and fishermen have been denied the privileges accorded the trading vessels of "the most favored nation," whereas we have no treaty with Great Britain containing a favored nation clause. The rights and liberties we are claiming for vessels of the United States, whether fishing vessels or otherwise, are those commercial and trading privileges which are ordinarily accorded by one civilized nation to another, and such as are now, and have been for many years, conceded to Canadian and British vessels in American ports.

The committee is also of opinion that the Senate bill is defective in other important respects. It empowers the President to deny entry into any port or place in the United States "of fresh fish or salt fish, or any other product of said dominions, or other goods coming from said dominions to the United States." The question arises, therefore, if the

merchandise whose entrance by land into the United States is to be prohibited is merely that which is the product of Canada, how could such a provision be enforced? The fact that a Canadian car contained merchandise would be no evidence that the merchandise was of the prohibited kind, for under our treaty foreign merchandise is entered in Canadian ports for land transit to the United States. Canadian products might be mixed in Canadian cars with foreign merchandise. Every car would have to be examined and wholly unloaded as soon as it reached the border of the United States, and even then it would not be difficult to evade the law.

If, on the other hand, *all* merchandise coming by land from Canada to the United States should be shut out under the Senate bill, the people of the United States would be wholly deprived of the benefit of land transit for merchandise through Canada, while the Canadians would continue to use, under the treaty of 1871, our territory and ports for the entrance and transportation of merchandise in bond, a privilege of the utmost value — indeed, of necessity — to them all through the winter.

These difficulties, it is believed, are met by that clause in the amended bill herein reported, which relates to the privileges secured by article XXIX of the treaty of 1871.

Duly considering the unwarrantable seizures of American vessels, and the harsh treatment of our fishermen during the last fishing season by the Canadian authorities, and the enactment of the recent stringent statute by the Canadian Parliament, as set forth in the former report of this committee, hereto appended for convenience of reference, which statute received the approval of the Queen in council on the 26th of November last, notwithstanding the earnest protest of our Government, through its Minister in London, your committee unhesitatingly reports in favor of conferring upon the President the power of proclaiming non-intercourse with the Canadian provinces whenever, in his judgment, the facts shall warrant him in so doing. And, while advised that this Government has made a proposition to the Government of Great Britain looking to a final settlement of the questions in dispute, which is still pending, your committee, in consideration of the facts elicited, and with no assurance of a settlement of the disputed questions before the commencement of the coming fishing season, and in view of the near adjournment of Congress, earnestly recommends early and favorable action on the bill herewith submitted as being, in its judgment, the most effective means of conferring the powers desired. A copy of the amended bill is subjoined, together with article XXIX of the treaty of 1871.

Appended to the report, for the information of the House, will be found —

A. Report from Committee on Foreign Affairs (No. 3648).
B. Letter of Hon. Daniel Manning, Secretary of the Treasury.
C. Revised list of vessels seized, detained or warned off from Canadian coasts.
D. Article XXIX of Treaty of 1871.

PERRY BELMONT,
JUDSON C. CLEMENTS,
WILLIAM R. COX,
OTHO R. SINGLETON,
JOHN W. DANIEL,
JAMES B. McCREARY,
WILLIAM H. CRAIN.

VIEWS OF THE MINORITY.

The minority of the Committee on Foreign Affairs, desirous of securing prompt action, and, if possible, unanimity of expression by both branches of Congress on the pending questions in dispute between this Government and that of Great Britain concerning the fisheries, and believing that the bill which has already passed the Senate by a substantially unanimous vote clothes the Executive with ample powers, are constrained to differ from the recommendation of the majority that the House adopt a separate or new measure which will necessarily be followed by delay, and recommend the passage by the House of the accompanying Senate bill.

WILLIAM W. RICE,
JOHN T. WAIT,
JOHN H. KETCHAM,
WILLIAM WALTER PHELPS,
ROBERT R. HITT.

[APPENDIX TO THE FOREGOING MAJORITY REPORT.]

NORTH AMERICAN FISHING RIGHTS.

A REPLY BY THE SECRETARY OF THE TREASURY TO AN INQUIRY BY THE COMMITTEE ON FOREIGN AFFAIRS OF THE HOUSE OF REPRESENTATIVES.

TREASURY DEPARTMENT,
February 5, 1837.

Sir.—I have your letter of the 31st ultimo, with its inclosures, and, moved by your suggestion therein, hasten to make reply.

The subject to which your letter and its inclosures refer is naturally divisible into two parts. For the sake of clearness I will take up, first, our fishing rights, and then the commercial privileges of our vessels in Canadian ports.

FISHING RIGHTS.

I assume American fishing rights to be defined by the treaties of 1783 and 1818; that those conventions are now, when taken together, and if modified to our advantage by the treaty of 1854, of binding force and effect; that by previous conquest in war, and those treaties, our fishermen have a right to fish on a portion of the coasts of the British colonies in North America as absolute and perfect as is their right to fish on the high seas; and that on certain other portions of those coasts we have renounced the liberty which we enjoyed till 1818 to catch, dry or cure fish. I also assume that the United States are content with their existing rights of fishing on Canadian coasts if those treaties be faithfully kept; that we do not now seek to enlarge those rights, and that we are also content to be excluded from the liberties of fishing on certain other coasts which we did once enjoy but have since renounced. I likewise assume that this Government will not protect American fishermen found intentionally and knowingly fishing on the forbidden Canadian coasts, but will, if it be necessary, punish and refuse to renew the license of a vessel found thus fishing. We do not ask of Great Britain or Canada any rights or liberties of taking, drying or curing fish than those stipulated in the treaties of 1783 and 1818. Assertion to the contrary, by Englishmen or Canadians, is, so far as I am informed, unwarranted and untrue.

COMMERCIAL PRIVILEGES.

In respect to commercial privileges for our fishing vessels in Canadian ports the situation is quite otherwise.

The treaty of 1818 secured to our fishermen what, up to that time, they did not have as a treaty right, which was admission to Canadian bays or harbors "for

the purpose of shelter, and of repairing damages therein, of purchasing wood, and of obtaining water, *and for no other purpose whatever.*" As colonists, we had those rights, but as colonists we lost them by just rebellion. They should not be called commercial rights, for they were simply rights of humanity, decency, good neighborhood and international kindness to one another. To refuse a fishing vessel such hospitality would be an act of barbarism fit only for savages. It would be as contemptible and odious as for a government, conducting a naval war, to fire, in these days, on a hospital ship, attested by her color and flag, and filled exclusively with the sick, wounded or dying, their surgeons and nurses. Such hospital vessels are now, by the common consent of civilized nations, as I am told, even more perfectly and completely neutralized than are hospitals and tents on land over which floats the yellow flag. It is impossible not to recognize how justly my colleague, Mr. Bayard, has portrayed the inhumanity and brutality with which certain Canadian officials treated defenseless American fishermen during the last summer, even those who had gone out of their way to rescue Canadian sailors, and, having entered a Canadian bay to safely land those they had saved, attempted to procure food to sustain their own lives.

It is true that we complain of and denounce, as in violation of the treaty of 1818, the "restrictions" enforced by Canadian statutes and officials, under the pretense of preventing our fishermen from "taking, drying or curing fish" in the prohibited Canadian bays or harbors, but those "restrictions" are not complained of or denounced because restricting commercial *privileges*. The complaint and denunciation are because the "restrictions" violate the *fishing rights* secured to our fishermen by the treaties.

I am advised and concede that up to President Jackson's proclamation of October 5, 1830, set forth on page 817 of the fourth volume of the United States Statutes at Large, this Government had not even commercial privileges for its vessels in Canadian ports. We had such privileges as colonists; we lost them as colonists; we regained them in 1830 by an arrangement of legislation finally concerted with Great Britain, which was the result of an international understanding, that was in effect a treaty, although not technically a treaty negotiated by the President, ratified by the Senate, signed by the parties, and the ratifications formally exchanged by them. That must be so, for British colonial policy, after the treaty of peace in 1783, which secured the independence of the thirteen American States, notoriously excluded all foreign vessels from trading with British colonies on this continent. The treaty of 1794 was careful to declare that it should not, as to commercial privileges, "extend to the admission of vessels of the United States into the seaports, harbors, bays or creeks of His Majesty's said territories" on the continent of America. The events which preceded the war of 1812 and that war confirmed and enforced the exclusion. After the treaty of Ghent we endeavored, by retaliatory laws, to counteract and change that policy. The fishery treaty of 1818 was concluded in October of that year, and, in April of the same year, Congress enacted a law which was described in the official documents of the day as enforcing a policy of nonintercourse by *British* vessels between ourselves and ports closed by British laws against our vessels. On May 15, 1820, Congress invigorated that law of 1818 by a new enactment, against every vessel, owned in whole or in part by British subjects, if coming or arriving *by sea* from any place in Lower Canada, or New Brunswick, or Nova Scotia, or the islands of Newfoundland, St. John's, or Cape Breton, or from any British possession on this continent. We forbade, under pain of forfeiture, the entry, or attempted

entry, of any such vessel into our ports. We interdicted the importation into the United States from any of the foregoing British dependencies, of any articles not produced therein. We excluded the importation by anybody of all articles excepting the produce of each colony respectively imported by itself.

In 1823 Congress suspended the provisions of the laws of 1818 and 1820 in respect to certain British colonial ports, and authorized importation of colonial produce in certain British vessels coming *directly* therefrom, but only on the one condition that similar produce might be imported in our vessels to our country on equal terms, and that the British vessels thus admitted into our ports be navigated by a master and at least three-fourths of the mariners British subjects. The law of 1818 said not a word about American vessels, or any other vessel excepting British vessels, but, as I have noted, the law of 1820 prohibited the importation of any merchandise from a British colony on this continent unless it was the growth of the colony where laden, and was brought directly to us. Nothing is said therein of *exportation* from us of merchandise in vessels not British.

The reason of the change in 1823 in our policy was that in 1822 England changed her policy, and permitted American-built vessels, lawfully navigated, to import certain goods directly to the West Indies. Hence we declared that the law of 1823 should remain in force so long only as the enumerated British colonial ports were open to our vessels by the British law of June 24, 1822, but if closed the President was empowered to revive our laws of 1818 and 1820. The British ports were closed to us by an act of Parliament on July 5, 1825, and the President thereupon, on March 17, 1827, proclaimed ours closed as before.

My distinguished predecessor in this department, Mr. Gallatin, was in that year the American Minister at London, and the following extract from his note to our Department of State, dated on September 11, 1827, exhibits the situation as seen by him:

"Mr. Huskisson said it was the intention of the British Government to consider the intercourse of the British colonies as being exclusively under its control, and any relaxation from the colonial system as an indulgence, to be granted on such terms as might suit the policy of Great Britain at the time it was granted. I said every question of right had on this occasion been waived on the part of the United States, the only object of the present inquiry being to ascertain whether, as a matter of mutual convenience, the intercourse might not be opened in a manner satisfactory to both countries. He (Mr. H.) said that it had appeared as if America had entertained the opinion that the British West Indies could not exist without her supplies, and that she might, therefore, compel Great Britain to open the intercourse on any terms she pleased. I disclaimed any such belief or intention on the part of the United States. But it appeared to me, and I intimated it, indeed, to Mr. Huskisson, that he was acting rather under the influence of irritated feelings, on account of past events, than with a view to the mutual interests of both parties."

The irritation in England appears to have resulted from the insertion in our law of 1823 of the word "*elsewhere*" in the second section, and the incident is so suggestive of watchfulness at present that I add herewith a statement of the history of that legislation made in the Senate by Senator Smith, of Maryland, a few years afterward:

"During the session of 1822 Congress was informed that an act was pending in Parliament for the opening of the colonial ports to the commerce of the United

States. In consequence, an act was passed authorizing the President (then Mr. Monroe), in case the act of Parliament was satisfactory to him, to open the ports of the United States to British vessels by his proclamation. The act of Parliament was deemed satisfactory, and a proclamation was accordingly issued and the trade commenced. Unfortunately for our commerce, and I think contrary to justice, a Treasury circular issued directing the collectors to charge British vessels entering our ports with the alien tonnage and discriminating duties. This order was remonstrated against by the British Minister (I think Mr. Vaughan). The trade, however, went on uninterrupted. Congress met, and a bill was drafted in 1823 by Mr. Adams, then Secretary of State, and passed both Houses, with little, if any, debate. I voted for it, believing that it met, in the spirit of reciprocity, the British Act of Parliament. This bill, however, contained one little word, 'elsewhere,' which completely defeated all our expectations. It was noticed by no one. The effect of that word 'elsewhere' was to assume the pretensions alluded to in the instructions to Mr. McLane. The result was that the British Government shut their colonial ports immediately and thenceforward. This Act of 1822 gave us a monopoly (virtually) of the West India trade. It admitted free of duty a variety of articles, such as Indian corn, meal, oats, peas and beans. The British Government thought we entertained a belief that they could not do without our produce, and by their Acts of the 27th of June and 5th of July, 1825, they opened their ports to all the world, on terms far less advantageous to the United States than those of the Act of 1822."

President Adams alluded to the subject, in his annual message for 1827-1828, in these terms:

"At the commencement of the last session of Congress they were informed of the sudden and unexpected exclusion by the British Government of access, in vessels of the United States, to all their colonial ports, except those immediately bordering upon our own territory. In the amicable discussions which have succeeded the adoption of this measure, which, as it affected harshly the interests of the United States, became a subject of expostulation on our part, the principles upon which its jurisdiction has been placed have been of a diversified character. It has at once been ascribed to a mere recurrence to the old long-established principle of colonial monopoly, and at the same time to a feeling of resentment, because the offers of an Act of Parliament, opening the colonial ports upon certain conditions, had not been grasped at with sufficient eagerness by an instantaneous conformity to them. At a subsequent period it has been intimated that the new exclusion was in resentment because a prior Act of Parliament of 1822, opening certain colonial ports, under heavy and burdensome restrictions, to vessels of the United States, had not been reciprocated by an admission of British vessels from the colonies, and their cargoes, without any restriction or discrimination whatever. But be the motive of the interdiction what it may, the British Government have manifested no disposition, either by negotiation or by corresponding legislative enactments, to recede from it; and we have been given distinctly to understand that neither of the bills which were under the consideration of Congress at their last session would have been deemed sufficient in their concessions to have been rewarded by any relaxation from the British interdict. The British Government have not only declined negotiation upon the subject, but, by the principle they have assumed with reference to it, have precluded even the means of negotiation. It becomes not the self-respect of the United States either to solicit gratuitous

favors or to accept as the grant of a favor that for which an ample equivalent is exacted."

The affair aroused so much emotion in the country that it entered as an element into the Presidential election which came on soon afterward and resulted in the choice of General Jackson. The opponents of the administration of President Adams insisted that the concerted legislation, and the subsequent negotiations attempted at London by that administration, miscarried because an entrance of our vessels into British colonial ports was demanded as a *right* and not as a *privilege*. It is that distinction which has led me to emphasize the doings of a half century ago.

When President Jackson came to power, Mr. Van Buren instructed Mr. McLane, our Minister at London, to endeavor to reopen negotiations on the basis of our willingness to accept as a "*privilege*" the entry of our vessels into British colonial ports, and it was successful. Congress, on May 29, 1830, empowered the President, whenever satisfied that England would open to us her West Indian ports, to proclaim our own ports opened to British vessels, and the repeal or suspension of the laws of 1818, 1820 and 1823. On October 5, 1830, President Jackson issued his proclamation admitting British vessels and their cargoes to an entry into our ports from *all* British colonial ports on or near the American continent. From that beginning came the "privileges" of our vessels in Canadian ports, and it will be observed that the British and the American laws, and President Jackson's proclamation, all used the word "*vessels*" without any qualifying adjective excluding our fishing vessels.

Few of the incidents of our peaceful commercial diplomacy and legislation are more striking, as it has always seemed to me, than the incidents of this successful effort by President Jackson to promote our carrying trade. Near the end of the first term of that great soldier and ruler of men the mission to London was filled, during the recess of the Senate, by the appointment thereto of Mr. Van Buren. When his nomination came before the Senate its confirmation was resisted by the personal and party opponents of President Jackson, on the ground that the instructions to Mr. McLane, personally dictated by the President (as has since been proven), and which accomplished the recovery of our West India trade, had asked of England as a favor what was due to us as a right, had espoused the British side against the American side as theretofore represented by President Adams, and had imported the result of our Presidential struggle into a diplomatic negotiation with a foreign country. Avowedly on that ground the nomination of Mr. Van Buren was rejected in February of 1832, which rejection aided to lead up to his election to be Vice-President in the autumn of that year, and to be President four years later.

But that is not all. Mr. Gallatin, on September 22, 1826, wrote from London to Mr. Clay, then Secretary of State, that one of the three points on which we were "vulnerable" was:

"3. Too long an adherence to the opposition of her (England's) right of laying *protective duties*. This might have been given up as soon as the Act of 1825 was passed."

In the debate in the Senate on Mr. Van Buren's confirmation, those (including Mr. Webster and Mr. Clay) who condemned the nomination contended that President Adams was right in rejecting the British offer of 1825, because it only covered the carrying trade, as well as our *vessels*, but left our *products* subject to protective duties levied by England at her West India ports!

THE TREATY OF 1815.

A full appreciation of political, diplomatic and party events from the beginning of our history down to President Jackson's beneficent achievement will make it plain why we have not a treaty with Great Britain to regulate commerce with her colonies on this continent as we have with British ports and territories "*in Europe.*" There will be found in our statuto books some thirty treaties between ourselves and foreign governments, stipulating that the vessels of each, and their cargoes, shall have free access to all the ports of the other which are open to foreign commerce. Our treaty of 1815 with Great Britain declares:

"There shall be between the territories of the United States of America and *all* the territories of His Britannic Majesty *in Europe* a reciprocal liberty of commerce The inhabitants of the two countries, respectively, shall have liberty freely and securely to come with their ships and cargoes to all such places, ports and rivers in the territories aforesaid to which other foreigners are permitted to come, to enter into the same, and to remain and reside in any parts of the said territories, respectively; also to have and occupy houses and warehouses for the purposes of their commerce; and, generally, the merchants and traders of each nation, respectively, shall enjoy the most complete protection and security for their commerce, *but subject always to the laws and statutes of the two countries respectively.*"

Then, in the second section is this stipulation:

"The *intercourse* between the United States and His Britannic Majesty's possessions in the West Indies, and on the continent of North America, shall not be affected by any of the provisions of this article, but each party shall remain in the complete possession of its *rights* with respect to such an intercourse."

I am not aware of any treaty, excepting the fishing clauses of the treaty of 1818, to which I have referred, and the treaty of 1871 (to which I will refer hereafter), or of any rule of international law binding on the United States, which now constrains Great Britain to commercial intercourse with ourselves in her Canadian ports. My previous training, and the line of my studies and occupations in this department, warn me to speak with caution, and subject to correction from my very able and better-instructed colleague, Mr. Bayard, on the subject to which your committee has invited my attention, and on which you have requested my opinion; but were the situation reversed, and were England to demand, as a *right,* commercial access to our ports for Canadian vessels which, for reasons satisfactory to ourselves, we saw fit to exclude, or if Congress were, by legislation conforming to the treaty of 1815, to even exclude British vessels covered by that treaty, I think we should say, and be entitled to say, that such commercial advantages in all our bays, harbors and ports, from Mount Desert to Cape Cod, and from Cape Cod to Cape Hatteras, belong to us to interpret as strictly, and either to hold exclusively for our own vessels, if we see fit so to do, or to exchange them for equivalents. That question, touching the commercial relation of all our vessels to open Canadian ports, I deem quite apart from the relation of our fishing vessels to taking, drying, or curing fish on Canadian coasts under the treaties of 1783 and 1818, and the relation of those vessels to shelter, repairs, wood and water, under the treaty of 1818, while on those coasts.

THE REAL ISSUE.

This long introduction to clear away irrelevant matter, which the necessity of rapid dictation suggested by your letter prevents me from shortening as I could

wish, brings me to say that, from the point of view of this department, Great Britain can, if she deems it for her interest, or necessary for her safety, retreat from the understandings and agreements of 1830. Whether such retreat therefrom is to be deemed by us an unfriendly act, will depend on its motives and environment. To be sure the arrangement of 1830 was not in a technical sense a treaty from the engagements of which neither party can withdraw without the consent of the other amicably obtained, but it was to be a rule for two powerful States. It was a pact representing the will and opinions of each. It was a deliberate international act. It was a bargain, in which one Government bought a privilege at the price of an equivalent given to the other. It was a contract, solemnized and attested, by the law-making, instead of the treaty-making, power of the two nations.

What we are confronted by is the royal assent, given by the Queen in council on November 26, 1886, to the Canadian Act, entitled "An act further to amend the act respecting fisheries by foreign vessels." It begins by reciting that it is "expedient for the more effectual protection of the inshore fisheries of Canada against intrusion by foreigners." The offensive significance of that law is in the fact that, by (what I assume is law) the statute establishing the Canadian union, the Governor-General must, according to his discretion, but subject to the Queen's instructions, either declare that he assents in the Queen's name to a bill passed by the Houses of the Canadian Parliament, or that he withholds the Queen's assent, "or that he reserves the bill for the signification of the Queen's pleasure." The last-named alternative phrase was adopted in dealing with the Canadian law of 1886, which peremptorily closes Canadian ports to our fishing vessels seeking to trade. It empowers any of the therein designated officials to bring to, and *search*, any American vessel being within any Canadian harbor, or "hovering" in British waters. This is a revival in Canada of the theory of the ancient British "Hovering Act," long ago repealed in the mother country. If the search prescribed and authorized be of a fishing vessel loitering in a prohibited place, and fairly suspected of preparing there to fish in violation of law, such search, if fairly and reasonably made, may be tolerated.

Our own Customs Law prescribes and authorizes a similar search of foreign vessels even four leagues from our coast. The third chapter of the thirty-fourth title of the Revised Statutes empowers a revenue cutter, having displayed her pennant and ensign, after a signal gun, to fire into, and bring to, any vessel liable to examination that refuses to stop and be visited and searched. But the Canadian Act, thus having the royal approval, was intended, as has been openly avowed, to forfeit any American fishing vessel which is found having entered Canadian waters, or the port of Halifax, to buy ice, bait, or other articles, or for any purpose other than shelter, repairs, wood, or water. The plea is that the treaty of 1818 permits and stipulates for such legislation. That we deny, and reply that such legislation is a repeal and annulment by England of the arrangement made in 1830, and to that repeal we are entitled to *respond* by a similar repeal of our own law, and by a refusal hereafter, and while debate or negotiation goes on, to confer hospitality, or any privileges whatever in our ports, on Canadian vessels or boats of any sort. A violation of comity may be looked upon as an unfriendly act, but not a cause for a just war. England may judge for herself of the nature and extent of the comity and courtesy she will show to us. In the present case we do not propose retaliation; we simply respond. We, too, suspend comity and hospitality.

FISHING VESSELS ARE AMERICAN VESSELS.

I learn that Canada attempts to excuse or palliate her act by saying that she has only withdrawn commercial comity and hospitality from our fishing vessels and their catch; but the plea is superficial and invalid. President Jackson's arrangement of 1830 made no classification of American vessels, but included all that were made vessels of the United States by this department.

Vessels of the United States have always been defined by Congress, and notably in 1793, as those of five tons burden and upwards having licenses; those of twenty tons and upwards having enrolments; and those possessed of certificates of registry, provided those documents were legally issued and are in force. Certificates of registry are, as a rule, *required* for vessels engaged in foreign trade, and are *permitted* to vessels engaged in domestic trade. Vessels of twenty tons burden and upward, enrolled in pursuance of law, and having a license in force, are made vessels of the United States, entitled to the privileges of vessels employed in the coasting trade and fisheries.

The same qualifications and requirements are for registry as for enrolment. If vessels are to be coasters or fishers, they must be *licensed*, and only for one year, and can not carry on any other business unless another document has been obtained from the Treasury, which is a permit to "touch and trade." A registered vessel can not be licensed to carry on the North Atlantic fisheries, but she may carry on such fisheries without a license. Enrolled vessels, having a license, may generally go from one of our ports to another without entry or clearance, but registered vessels must enter and clear. A registered vessel, carrying on whale fishery, may enter foreign ports for trade, but a whaler only enrolled and licensed can not thus enter. No vessel from a foreign port can enter, and unload, excepting at ports designated by Congress; nor can merchandise come in vessels of less burden than thirty tons, and the cargo must be accompanied by a manifest, which must be exhibited to the first boarding officer, and again on entry. If an American vessel, licensed for fishing, shall be found within three leagues of our coast with *foreign* goods on board of greater value than $500, she is liable to forfeiture with all her cargo, unless possessed of a permit "to touch and trade" at foreign ports, and then she must regularly enter, surrender her permit, pay duties, and be subject to all regulations for vessels arriving from foreign ports.

One incident will be sufficient to explain that the *law* defines which vessels, "and none others," shall be American vessels. In 1838, Mr. Justice Story had decided that under the statute, no *registered* vessel was then entitled to carry on the whale fisheries as an American vessel, or to the privileges of an American vessel. By the law of April 4, 1840, Congress cured the defect.

We separate American vessels into subdivisions, as by registry, by enrolment and license, by license. Pleasure-yachts make another subdivision. But foreign Governments can not say that a vessel, regularly documented, is, by reason of her class, not an American vessel. The classifications referred in the beginning, and refer now, chiefly to fees, tonnage taxes, entrance and clearance, production of manifests, passenger-lists, oaths, unlading and similar things, when our vessels are in our own ports. Ferry-boats are American vessels, but they need not enter nor clear, nor pay entrance or clearance fees. A registered vessel from district to district is, as to clearance and entrance, subject to the same rules as vessels under frontier license and enrolment, and, on the other hand, a licensed and enrolled vessel touching at a foreign port does not thereby become subject to our tonnage

duty, nor to clearance and entrance *fees* as if from a foreign port. It is for our own convenience that vessels are classified as fishermen, inasmuch as our laws control by minute regulations the business of fishing in respect to contracts with those so employed. They punish fishermen who desert, and protect fishermen in the division of the proceeds of the catch, but none of the laws thus defining and controlling fishing vessels make the vessels any the less American vessels, which within the concerted legislation of 1830, and President Jackson's proclamation of that year, are entitled to commercial privileges in Canadian ports.

WHAT SHALL THE RESPONSE BE?

And now comes the question, What shall be the character and limitations of the response? Shall we only exclude Canadian fish, or such fish and all Canadian vessels, or both of them, and all merchandise coming from Canada by any sort of a vehicle, including the vehicle?

Under what conditions can negotiation go on with the least injury to ourselves — our dignity and self-respect? I can not believe that the Government at London will persist in its present course unless inspired, for some occult reason, by a purpose to break friendly relations with ourselves, or unless under the will and at the mercy of its colony.

I have not had the time or strength, since your letter came, to go through the British statutes in order to ascertain in what respect the British "North American Act" of 1867 has been modified, but under that enactment the Canadian Dominion is, in one sense, and in regard to specified subjects, self-governing. The Queen is, to be sure, empowered, by and with the advice and consent of the two Canadian Houses, to make laws for Canada, but the following matters are defined as thus within the control of the provincial Legislatures:

"1. The regulation of trade and commerce."

"10. Navigation and shipping."

"12. Sea-coast and inland fisheries."

But yet none of those are defined as subjects within the *exclusive* powers of the provincial Legislatures, so as to disregard the Queen's assent.

ARTICLE XXIX OF ALABAMA TREATY.

Whether or not Article XXIX of the Alabama treaty was left standing by the Act of Congress of June 28, 1883, and the President's proclamation thereunder, is an important preliminary question in the solution of the Canadian problem.

Articles XVIII and XIX, dealing with (compensated) reciprocal sea-fishing liberties, and Article XXI, dealing with reciprocal fish-oil and fish free markets, and Article XXX, dealing with reciprocal conveyance of merchandise in bond, specified the terms of years they should be in force. So did Article XXIX, dealing with the reciprocal privilege of transit, duty free, "of goods, wares and merchandise" arriving at certain American ports and destined for Canada, or arriving at any North American British ports and destined for the United States. Its language is this: "It is agreed that for the term of years mentioned in Article XXXIII," which article defines the specification thus: "In force for the period of ten years from the date at which they may come into operation; and further, until the expiration of two years after either of the high contracting parties shall have given notice to the other of its wish to terminate the same, each of the high contracting parties being at liberty to give such notice to the other at the end of

said period of ten years or at any time afterward;" which is to say, ten years plus x years plus two years; x being a variable determinable by the wish of either party.

The term of years thus identically specified in all the Articles XVIII, XIX, XXI, (XXVIII, dealing with free British navigation of Lake Michigan), XXIX and XXX; thus defined in Article XXXIII, has been interpreted according to its obvious significance, with respect to all but two of those Articles (XXVIII and XXIX) by the initiative and Act of the United States, June 28, 1883. Is this Government to be precluded from any other term of years of the XXIXth Article than that thus specified, defined and interpreted? Or does the "term of years" mentioned in Article XXIX, as prescribing and limiting its life, refer to and include the variable x in Article XXXIII, and contemplate its determination as to Article XXIX, specifically, in order to close its existence?

If the stipulations of Article XXIX are now binding on Great Britain, then it is indisputable that our vessels are entitled by the treaty to enter fish, as merchandise, at the proper custom-house of any Canadian port, for conveyance in bond to the United States. Of necessity, the vessel containing the fish is entitled to enter the port, in order to enter the merchandise at the proper custom-house.

I invite your attention to General Treasury Regulations for 1884, and to the Articles from 836 to 881.

THE TWO BILLS.

The bill referred by the House of Representatives to its Committee on Foreign Affairs, of which you are chairman, alludes, in the opening sentence, to "*rights*" of American vessels denied to them in Canadian ports, or adjacent waters, to which "*rights*" such vessels "are entitled by treaty or by the law of nations." Apart from fishery "rights," confirmed by the treaties of 1783 and 1818, and natural "rights" of humanity, as to shelter, repairs, wood and water, confirmed by the treaty of 1818, and "rights" stipulated in Article XXIX of the treaty of 1871, to what commercial "rights" are our vessels entitled in Canadian ports by treaty? And to what commercial "rights" are they entitled by the law of nations? These are questions which, of course, you will have considered.

I ought to be, and am, for many reasons, extremely reluctant to discuss any bill which, after debate, has been adopted in the Senate by a vote almost unanimous. I feel that any comments of mine, even if well founded, may expose me to just criticism even though invited by your committee. My venture will only be from the point of view of the head of this department, to whom may be committed the execution of a proclamation issued by the President under the proposed measure, if it shall become a law.

As to *fishing* rights, or liberties, under the treaty of 1818, it stipulates that our fishermen shall be "under such restrictions as may be *necessary*," etc. By usage, and, so far as I know, without diplomatic resistance by us, one party to the treaty has been permitted to prescribe the "restrictions." "Lately" those restrictions have certainly been "unreasonable," but shall the President issue his proclamation forthwith, and without diplomatic effort to modify the restrictions applied since 1818 excepting when, or near the times when, the treaties of 1818 and 1871 were in full force?

I am not aware of the concessions which Great Britain or Canada may have made to the vessels of other nations when such vessels are in Canadian ports, nor am I aware of any treaty, or understanding, between us and Great Britain which stipulates that our vessels shall forever have, in those ports, the rights, or

privileges, "of the most favored nation," for which Great Britain may have exacted, and received, a compensation.

Is there not possible ambiguity in the phrase "vessels of the British dominions of North America?" Does it mean only vessels whose home port is in those dominions, or vessels wholly owned by those having domicile in those dominions? Will it exclude a British vessel whose home port is outside of those dominions, or not owned therein? Will it permit a vessel with her home port in England, Scotland, or Ireland, or the British West Indies to enter and clear at our ports, and do carrying trade between Canada and our ports? I infer that the bill was framed to exclude only Canadian or Newfoundland owned vessels, and that other British vessels, French or German vessels, or vessels of any other nationality, may enter our ports, although coming from ports of Canada or Newfoundland, but that our ports may be closed to any and all merchandise coming from those British colonies even if on board a friendly vessel.

There are no statistics in this department showing the number of railway engines, cars, or vehicles which annually cross our frontier to seaboard ports with Canadian produce for export. So far as the passage of these vehicles is concerned, the existing statutes give authority to the Executive to impede their transit, inasmuch as they can, if of foreign production, be held to be dutiable as manufactures of wood, etc., and unless duties are paid can be refused entry. The existing statutes also authorize the department to insist upon unloading the merchandise from such cars at the frontier for the purpose of definitely ascertaining quantities, etc.

Either of these courses would have the effect of impeding, if not putting a stop to, the transit traffic which produces no revenue, as the customs fees exacted for certifying manifests, etc., go but a little way toward reimbursing this Government for the expense it is put to in supervising the business. The stoppage of such traffic will, it is assumed, result in reduction of the force at some of the ports, such as Island Pond, where this traffic principally prevails.

If the Senate bill shall become a law, and the President shall issue his proclamation thereunder, besides putting an end to the transit traffic aforesaid, its effect will be to exclude from importation Canadian free goods, such as certain kinds of fish, lumber, animals, etc., to the amount of about $2,500,000 annually, and also of reducing the revenue — by preventing the importation of Canadian dutiable products, such as lumber, breadstuffs, fish, etc., in annual value, say, $22,000,000— to the extent of about $4,000,000, which will be the probable duties collectible on such goods during the present fiscal year if the present system of intercourse shall continue.

The following tables show the importation of free and dutiable Canadian goods during the fiscal year ending June 30, 1886, as estimated upon the report of the Bureau of Statistics for the year 1886:

Free of Duty.

Fresh fish, including shell-fish	$985,573
Indian goods	3,197
Plaster of paris	115,696
Firewood and other manufactured timber, such as handle-bolts, hoop-poles, logs, and round unmanufactured timber, railroad-ties, shingle-bolts, ship-planking, ship-timber, stave-bolts	1,372,164
	$2,476,630

Dutiable.

	Value, about—	Duties, about—
Animals	$3,500,000	$700,000
Breadstuffs	7,000,000	1,000,000
Fish, dried, salted, smoked, pickled, and otherwise prepared	1,500,000	290,000
Cod-liver oil	67,000	16,900
Provisions	2,000,000	470,000
Vegetables, beans, peas, potatoes, etc	1,000,000	300,000
Wood, manufactures of wood, excluding lumber, and timber of all kinds	7,000,000	1,300,000
	$22,067,000	$4,076,900

To these may be added other dutiable commodities, in value about $2,000,000, on which the duty would be about $400,000.

One effect of the proposed proclamation would be to stop all customs business proper — that is, the collection of any revenue along the Canadian frontier — and render the employment of customs officers unnecessary, except for the purpose of preventing and detecting smuggling, issuing papers to American vessels, etc. It would not have much effect, however, upon the seaboard ports, except, perhaps, at Portland, Me., and Boston, Mass., during the winter months, when the Canadian ports of Quebec and Montreal are closed by ice.

When the Senate bill was under discussion in the Senate, an amendment was proposed and rejected, as follows:

"And also, if he think proper, to prohibit the entrance into the United States from Canada of any engines, rolling stock or cars, with any goods that may be therein contained."

The proposed legislation gives very large discretion to the Executive — not much larger, however, than was given by the laws of 1818, 1820, 1823 and 1825. But it is quite important, so far as this department will be concerned, that there be no unnecessary ambiguity in the law, and if locomotive, railway rolling stock and cars are to be excluded under any circumstances, Congress should so say in explicit terms, and all vehicles containing or carrying merchandise should be distinctly excluded, if that be the will of Congress.

CONCLUSION.

It is much to be regretted that mediaeval tariff laws, like that cruel legacy of war which still incumbers the statute books of the United States, or a mediaeval nonintercourse policy, like that of the Dominion of Canada, approved by the Queen in council on the threshold of Her Majesty's jubilee year, should be the divided disgrace of our common civilization. Both are obstacles to that enlarging, freer intercourse among the heirs, by a kindred blood, of one great heritage of social order, language, laws and civil liberty, which is leading here and promoting everywhere, from century to century, the increasing progress of the human race. The venerated founders of this Republic contributed to that progress its most powerful and well-directed impetus by withholding from the Federal Government authority to fetter the foreign commerce of the people with any export tax and by enacting an absolute free trade forever among the inhabitants of all its States.

The new world which swept into their ken was a world of American freemen, whose laws should but establish and guard their individual liberty. Had the most northern colonies, anticipating then the inevitable hour, along with us, cut off and released to her henceforth separate and insular fortunes the parent State, the whole continent of North America, from sea to sea, and from its northern to its southern gulfs, would now be joined in one indissoluble union of indestructible States; and the political line of the forty-ninth parallel of latitude, with the geographical boundary of the five great lakes and their river, instead of being marked by suspicious revenue officers and hostile custom-houses, would be invisible like the one hundredth meridian, and another bond of unity like the waters of the Mississippi.

In such a wider dominion, in such a greater and enduring union finally, by peaceful growth, with cordial unconstrained assent for common interests, soon or late these now separate peoples, discordant or divided by political lines, but kindred by every tie that ever has united men or founded States, will one day merge their majestic empires. It behooves the statesmanship of our own and coming generations on either side the dividing line to perceive that this continental and imperial policy is not a visionary hope, but rather in the order of nature, to which the laws that we in our brief time enact had best conform and give it furtherance.

Very respectfully yours,

DANIEL MANNING,

Secretary.

Hon. PERRY BELMONT,

Chairman of the Committee on Foreign Affairs, House of Representatives.

[THIS SUBJECT CONTINUED, FEBRUARY 23, 1887.]

DEBATE ON DIPLOMATIC AND CONSULAR APPROPRIATION BILL.

February 17, 1887.

[CONTINUED FROM FEBRUARY 15, 1887.]

Mr. BELMONT.— Mr. Chairman, in proceeding to the consideration of this bill, I desire to ask consent that we take it up at the point reached when the bill was last under consideration, and substitute what I hold in my hand, the provisions of this substitute being in accordance with the rulings of the Chair. The attempt at reclassification has been made, being subject to a point of order; this has been deemed to be the speediest and most satisfactory way to reach a conclusion upon the bill, and I trust that no objection will be made.

Mr. McCREARY.— Mr. Chairman, I understand that the substitute which the gentleman desires to submit conforms to existing law, and that the increases of salary proposed in the bill originally reported by the Committee on Foreign Affairs have all been stricken out. I hope, therefore, that the substitute will be taken up and considered.

Mr. BELMONT.— Mr. Chairman, the purpose of the substitute is to conform to the rulings of the Chair on points of order. The substitute covers only that portion of the bill which has not been read.

Mr. SEYMOUR.— I desire to inquire whether this leaves the bill in the same parliamentary position as before.

Mr. BELMONT.— It does.

The CHAIRMAN.— The Chair desires to call attention to the fact that, when the committee last rose, a point of order was pending with reference to the Consul at Callao.

Mr. McCREARY.— I made a point of order upon the provision with reference to the Consul at Pernambuco. I understand this matter is embraced in the substitute, and I will withdraw the point of order for the present.

Mr. BELMONT.— Yes; that comes in under class 3.

The CHAIRMAN.— As the Chair understands, the point of order was upon the provision for the Consul at Callao, in line 201.

Mr. BELMONT.— The gentleman from Kentucky made a point of order upon Pernambuco, which point he now withdraws. That was the last point of order.

Mr. McCREARY.— I withdraw it, because a provision on that subject is embraced in the substitute.

Mr. BELMONT.— Reference to the Record will show that the last point of order was, as I have stated, upon the provision for the Consul at Pernambuco.

The CHAIRMAN.— The Chair understood from the Clerk that the last line read was with reference to the Consul at Callao, and that there was a point of order made upon that; but upon the statement of the gentleman from New York and the gentleman from Kentucky, the Chair will consider that as a misunderstanding and will regard the point of order as withdrawn.

Mr. BELMONT.— I now ask consent that this proposed substitute be read, with the view that it shall take the place of the remainder of the bill.

The Clerk proceeded to read the following:

Strike out from lines 202 to 392, inclusive, and insert the following:

Class III.— At $3,000 per annum:

CHILI.

Consul at Valparaiso.

CHINA.

Consul at Ningpo.

FRANCE.

Consul at Havre.

GREAT BRITAIN AND BRITISH DOMINIONS.

Consuls at Belfast, Bradford, Demerara, Glasgow, Manchester, Ottawa and Singapore.

JAPAN.

Consuls at Nagasaki, and Osaka and Hioga.

MEXICO.

Consul at Vera Cruz.

SPANISH DOMINIONS.

Consul at Matanzas (Cuba).

UNITED STATES OF COLOMBIA.

Consul at Colon (Aspinwall).

Class IV.— At $2,500 per annum:

ARGENTINE REPUBLIC.

Consul at Buenos Ayres.

BELGIUM.

Consul at Antwerp and Brussels.

DANISH DOMINIONS.

Consul at Saint Thomas.

FRANCE.

Consuls at Bordeaux, Lyons and Marseilles.

GERMANY.

Consuls at Bremen, Dresden and Hamburg.

GREECE.

Consul at Athens.

GREAT BRITAIN AND BRITISH DOMINIONS.

Consuls at Birmingham, Dundee, Leith, Nottingham, Tunstall and Victoria (British Columbia).

SPANISH DOMINIONS.

Consuls at Cienfuegos and Santiago de Cuba.

TURKISH DOMINIONS.

Consul at Smyrna.

Class V.— At $2,000 per annum:

AUSTRIA-HUNGARY.

Consuls at Trieste and Prague.

BARBARY STATES.

Consul at Tangier.

BRAZIL.

Consul at Pernambuco.

COSTA RICA.

Consul at San Jose.

FRIENDLY AND NAVIGATOR'S ISLANDS.

Consul at Apia.

GERMANY.

Consuls at Barmen, Chemnitz, Cologne, Crefeld, Leipsic, Nuremberg and Sonneberg.

GREAT BRITAIN AND BRITISH DOMINIONS.

Consuls at Cardiff, Cork, Dublin, Hamilton (Canada), Kingston (Jamaica), Leeds, Nassau (New Providence), Port Louis (Mauritius), St. John (New Brunswick), Sydney (New South Wales), and Toronto (Canada).

HONDURAS.

Consul at Tegucigalpa.

ITALY.

Consul at Palermo.

MADAGASCAR.

Consul at Tamatave.

MEXICO.

Consul at Acapulco.

NETHERLANDS.

Consul at Rotterdam.

NICARAGUA.

Consuls at Managua and San Juan del Norte.

RUSSIA.

Consul at Odessa.

SALVADOR.

Consul at San Salvador.

SPAIN AND SPANISH DOMINIONS.

Consuls at Manila (Philippine Islands), San Juan (Porto Rico), and Sagua la Grande (Cuba).

SWITZERLAND.

Consuls at Basle and Zurich.

TURKISH DOMINIONS.

Consuls at Beirut and Jerusalem.

URUGUAY.

Consul at Montevideo.

VENEZUELA.

Consul at Maracaibo.

Class VI.—At $1,500 per annum:

BRAZIL.

Consuls at Bahia and Para.

BELGIUM.

Consul at Liege and Verviers.

DENMARK.

Consul at Copenhagen.

FRANCE AND FRENCH DOMINIONS.

Consuls at Guadeloupe, Martinique and Nice.

GERMANY.

Consuls at Aix-la-Chapelle, Mannheim, Munich and Stuttgart.

GREAT BRITAIN AND BRITISH DOMINIONS.

Consuls at Amherstburg (Canada), Antigua (West Indies), Auckland (New Zealand), Barbadoes, Bermuda, Bristol, Cape Town, Ceylon (India), Charlottetown (Prince Edward Island), Clifton (Canada), Fort Erie (Canada), Goderich (Canada), Gibraltar, Kingston (Canada), Malta, Newcastle-on-Tyne, Quebec, Pictou (Canada), Port Sarnia (Canada), Port Stanley (Falkland Islands), Prescott (Canada), Southampton, St. Helena, St. John's (Canada), St. Stephen (Canada), Windsor (Canada), and Winnipeg (Manitoba).

ITALY.

Consuls at Florence, Genoa, Leghorn, Messina, Milan and Naples.

MEXICO.

Consuls at Paso del Norte and Tampico.

NETHERLANDS.

Consul at Amsterdam.

PARAGUAY.

Consul at Asuncion.

PORTUGUESE DOMINIONS.

Consuls at Fayal (Azores) and Funchal (Madeira).

SAN DOMINGO.

Consul at San Domingo.

SPAIN.

Consuls at Barcelona, Cadiz and Malaga.

SWITZERLAND.

Consul at Geneva.

TURKEY.

Consul at Sivas.

VENEZUELA.

Consuls at Laguayra and Puerto Cabello.

SCHEDULE C.

Class VII.— At $1,000 per annum:

AFRICA.

Commercial agent at Gaboon; commercial agent at St. Paul de Loando (east coast).

BELGIUM.

Consul at Ghent.

BRAZIL.

Consul at Rio Grande do Sul.

CHILI.

Consul at Talcahuano.

FIJI.

Commercial agent at Levuka.

FRANCE AND FRENCH DOMINIONS.

Consuls at Algiers and Nantes.

GERMANY.

Consul at Stettin.

GREAT BRITAIN AND BRITISH DOMINIONS.

Consuls at Bombay (India), Gaspe Basin (Canada), Sierra Leone (West Africa), Turk's Island and Windsor (Nova Scotia).

HAYTI.

Consul at Cape Haytien.

HONDURAS.

Consul at Ruatan and Truxillo (to reside at Utilla).

ITALY.

Consul at Venice.

MEXICO.

Consuls at Guaymas, Nuevo Laredo and Piedras Negras.

MUSCAT.

Consul at Zanzibar.

NETHERLANDS.

Consul at Batavia.

PORTUGUESE DOMINIONS.

Consul at Santiago (Cape Verde Islands).

SOCIETY ISLANDS.

Consul at Tahita.

SWEDEN AND NORWAY.

Consul at Christiania.

Consular clerks:

Seven consular clerks, at $1,200 per annum each, $8,400.
Six consular clerks, at $1,000 per annum each, $6,000.

Consular officers not citizens:

For salaries of consular officers not citizens of the United States, $6,000.

Allowance for clerks at consulates:

For allowance for clerks at consulates, $56,400, the sum to be allowed at each consulate not to exceed the rate herein specified, as follows:

To the Consuls-General at Havana and Shanghai, and to the Consul at Liverpool, at $2,000 each, $6,000.

To the Consuls-General at London, Paris and Rio de Janeiro, at $1,600 each, $4,800.

To the Consuls-General at Berlin, Frankfort, Kanagawa, Montreal and Vienna, and to the Consuls at Antwerp, Bremen, Chemnitz, Crefeld, Hamburg, Havre, Hong-Kong, Lyons and Manchester, at $1,200 each, $16,800.

To the Consuls at Bradford, Birmingham and Marseilles, at $960 each, $2,880.

To the Consuls-General at Calcutta, Melbourne and Port au Prince, and the Consuls at Bordeaux, Colon, Dresden, Ecuador, Glasgow, Leipsic, Maracaibo, Nuremberg, Panama, Sheffield, Singapore, Sonneberg and Tunstall, at $800 each, $12,800.

To the Consuls-General at Halifax and Matamoras, and to the Consuls at Barmen, Beirut, Belfast, Dundee, Leith, Paso del Norte, Piedras Negras and Victoria, at $640 each, $6,400.

To the Consuls-General at Berne and Mexico, and to the Consuls at Aix-la-Chapelle, Demerara, Florence, Genoa, Malaga, Mannheim, Milan, Naples, Nueyo Laredo, Prague, Stuttgart and Zurich, at $480 each, $6,720.

For an additional allowance for clerks at consulates, to be expended under the direction of the Secretary of State at consulates not herein provided for in respect to clerk hire, no greater portion of this sum than $400 to be allowed to any one consulate in any one fiscal year, $10,000: *Provided,* That the total sum expended in one year shall not exceed the amount appropriated: *And provided further,* That out of the amount hereby appropriated the Secretary of State may make such allowance as may to him seem proper to any interpreter for clerical services, in addition to his pay as interpreter.

Interpreters, guards and marshals to consulates:

Interpreters to be employed at consulates in China and Japan, to be expended under the direction of the Secretary of State, $15,000.

Interpreters and guards at the consulates at Beirut, Cairo, Constantinople, Jerusalem and Smyrna, in the Turkish dominions, and at Zanzibar, $5,000.

Marshals for the consular courts in Japan, China and Turkey, $9,000.

Boat hire:

Boat for official use of United States Consul at Osaka and Hiogo, and for pay of boat's crew, $500.

Boats for official use of the United States Consul at Hong-Kong, and for pay of boat's crew, $500.

Exchange:

Actual cost and expense of making exchange of money to and from the several consulates and consulates-general, $4,000.

Expenses of prisons for American convicts:

For the expense of a prison and prison-keeper at the consulate-general in Bangkok, Siam, $1,000.

Actual expense of renting a prison at Shanghai for American convicts in China, $750, and for the wages of a keeper of such prison, $800 — $1,550.

Actual expense of renting a prison in Kanagawa for American convicts in Japan, $750, and for the wages of a keeper of such prison, $800 — $1,550.

For the purpose of paying for the keeping and feeding of prisoners in China, Japan, Siam and Turkey, $9,000: *Provided,* That no more than seventy-five cents per day for the keeping and feeding of each prisoner while actually confined shall be allowed or paid for any such keeping or feeding; this is not to be understood as covering cost of medical attendance and medicines when required by such prisoners: *And provided further,* That no allowance shall be made for the keeping and feeding of any prisoner who is able to pay, or does pay, the above sum of seventy-five cents per day; and the consular officer shall certify to the fact of inability in every case.

Rent of prisons for American convicts in Turkey, and for wages of keepers of the same, $1,500.

Relief and protection of American seamen:

Relief and protection of American seamen in foreign countries, or so much thereof as may be necessary, $50,000.

Foreign hospitals at Panama:

Annual contributions toward the support of foreign hospitals at Panama, to be paid by the Secretary of State upon the assurance that suffering seamen and citizens of the United States will be admitted to the privileges of said hospitals, $500.

Publication of consular and commercial reports:

Preparation, printing, publication and distribution by the Department of State of the consular and other commercial reports, including circular letters to chambers of commerce, $25,000.

Contingent expenses United States consulates:

Expense of providing all such stationery, blanks, record and other books, seals, presses, flags, signs, rent, postage, furniture, statistics, newspapers, freight (foreign and domestic), telegrams, advertising, messenger service, traveling expenses of consular clerks, Chinese writers, and such other miscellaneous expenses as the President may think necessary for the several consulates and commercial agencies in the transaction of their business, $150,000.

When the paragraph relating to allowance for clerks at consulates was read —

Mr. McCREARY.— In order to conform to existing law that appropriation ought to be $50,320 instead of $56,400.

Mr. BELMONT.— The point of order, of course, does not apply to the allowance for clerks. I do not understand that it is necessary to make a reduction in that particular, because the law does not fix the amount.

The CHAIRMAN.— The Chair can only decide the question of order when it is raised. As the Chair understands, this proposed substitute is being now read with a view of asking consent that it may be offered in lieu of the remaining portion of the original bill.

Mr. McCREARY.— I supposed the substitution had been agreed to; and, therefore, I desired to make a point of order on this as new legislation.

Mr. BELMONT.— I ask the ruling of the Chair upon the point. I will only say that the allowance for clerks is in a lump sum, and varies from year to year.

The CHAIRMAN.— The Chair desires to make a statement. This substitute is now being read merely with a view of asking unanimous consent that it be offered in lieu of the remainder of the bill. Perhaps it would facilitate matters to reserve points of order on the substitute until the Committee of the Whole shall determine whether it will permit the consideration of this substitute at all.

The Clerk proceeded with the reading, during which,

Mr. McCREARY and Mr. HOLMAN desired to reserve points of order on paragraphs as read.

The CHAIRMAN.— The Chair understands that this substitute is now being read merely for information, and all points of order are reserved.

The Clerk concluded the reading of the proposed substitute.

Mr. BELMONT.— I ask, by unanimous consent, this be substituted —

Mr. HOLMAN.— Subject to points of order.

Mr. BELMONT.— Yes.

The CHAIRMAN.— There is no objection.

The Clerk proceeded to read.

Class third, at $3,000 per annum —

Mr. BELMONT.— It is not necessary to read the bill.

Mr. HOLMAN.— The substitute goes to what line?

The CHAIRMAN.— The Chair understands it is by unanimous consent offered as a whole, subject to points of order.

Mr. BELMONT.— Unanimous consent has been granted.

The CHAIRMAN.— The Chair did not understand what the gentleman said.

Mr. BELMONT.— I understand unanimous consent has been given for substitution, subject to points of order.

Mr. HOLMAN.— Down to what point has he made the bill to correspond to the bill of last year?

Mr. BELMONT.— Down to the point of allowance for consular clerks.

Mr. HOLMAN.— I wish to call the attention of the Chair to the Revised Statutes.

The CHAIRMAN.— Call attention to line 401.

Mr. BELMONT.— We have agreed to a substitute for part of the original bill.

Mr. HOLMAN.— I have the original bill.

Mr. BELMONT.— From line 394 the lines are as in the original bill.

The CHAIRMAN.— Let us understand that.

Mr. BELMONT.— I ask down to that point the bill be considered as read. It has been read once. I move to dispense with the reading of the bill down to that point.

The CHAIRMAN.— There has been no understanding except as to points of order.

Mr. CLEMENTS.— It is to be understood no points of order can be made back of that.

The CHAIRMAN.— No; that portion of the bill has been passed.

Mr. BELMONT.— That is all right.

Mr. HOLMAN.— My point of order is as follows: The Act of 1879 contains the following provision:

For allowance for clerks at consulates, $42,600 —

Then there is an enumeration of the clerks to be employed at Havana, Liverpool, and other points, and what their salaries shall be. The paragraph closes as follows:

Provided, That the total sum expended in any one year shall not exceed the amounts herein appropriated.

Thus, the Chair will perceive by the language here, this is intended to be a permanent law; that the total sum expended in any one year shall not exceed the sum herein appropriated. The statutes fix each consulate at which a clerk may be employed, and it also fixes the salaries, amounting in the aggregate to $42,600. It concludes with the language I have already read, "that the total sum expended in any one year shall not exceed the sum of $42,600." I make the point of order, therefore, Mr. Chairman, by existing law the number of consular clerks is specifically fixed, and the salaries also are fixed, and that the aggregate of these salaries can not exceed $42,600.

I will only add there is a large increase in the number of consular clerks in this bill.

Mr. BELMONT.— I only desire to say that this has always been held in the nature of a contingent fund. But I do not care to pursue the argument after the ruling on the question of salaries. I ask for a decision.

The CHAIRMAN.— The Chair sustains the point of order.

Mr. BELMONT.— I move to strike out the appropriation in the bill and insert $42,600.

There was no objection, and it was ordered accordingly.

Mr. McCREARY.— I make the point of order on Havana.

Mr. HOLMAN.— The gentleman from Kentucky and the gentleman from New York will listen for a moment. The point of order necessarily strikes out the language contained in this bill and substitutes therefor the language of the Act of 1879, which gives in detail the consular clerks to be employed. It substitutes that for the language of the bill down to line 434.

The CHAIRMAN.— An amendment has been offered by the gentleman from New York and agreed to.

Mr. BELMONT.— In view of the suggestion of the gentleman from Indiana, I withdraw my amendment. I think we can get along better by substituting the language of the Act of 1879.

The CHAIRMAN.— The amendment has been agreed to, and without objection that can not be done.

Mr. McCREARY.— The House has stricken out the sum of $56,400 originally placed in the bill, and has inserted the amount fixed by the permanent law, that is to say, $42,600. Now, in order to make the bill conform to the action of the committee, we should strike out "$2,000" for Havana, and insert "$1,600," and strike out "$2,000" for Shanghai—

Mr. HOLMAN.— But my friend will observe that these differences run all through the section.

Mr. McCREARY.— There are only two other changes to make, Antwerp and Ecuador.

Mr. HOLMAN.— There are several to make. Milan and Aix-la-Chapelle, for instance; and the best way will be simply to insert in place of this the old law, which is specific in regard to all of these places.

Mr. BELMONT.— The suggestion of the gentleman from Indiana is the most practical method, it seems to me, of correcting this section, and I hope it will be adopted.

Mr. HOLMAN.— That makes it perfectly clear. It simply substitutes the permanent law for the bill down to line 434.

Mr. McCREARY.— It amounts to the same, for if it is understood that the $42,600 of former appropriations is to be the sum provided by this bill for all of these clerks, it is understood that it is to be in accordance with the old law. But I have no objection to the gentleman's suggestion.

Mr. BELMONT.— The only way is to follow the wording of the old law.

After further debate —

Mr. McCREARY.— I desire to raise the point of order on this language, page 19:

> Interpreters to be employed at consulates in China and Japan, to be expended under the direction of the Secretary of State, $15,000.

It ought to be $12,000. That is an increase of $3,000, and I make the point of order against it.

Mr. BELMONT.— The increase is of the same nature as those heretofore referred to. These funds have been generally understood as contingent funds, and under the ruling I have no objection to its being stricken out if the Chair thinks it out of order.

The CHAIRMAN.— The gentleman from Kentucky will please refer the Chair to the statute to which he refers.

Mr. McCREARY.— Perhaps the shortest way to reach the reduction will be to make a motion that "fifteen" be stricken out and "twelve" inserted, so it will read "twelve thousand dollars."

The CHAIRMAN.— Is there objection to the amendment?

Mr. REED.— I object. I think we either ought to have a statute or a vote.

Mr. BELMONT.— I think we ought to have a ruling on the point of order. I have no doubt that a vote of the House would sustain the increase.

The CHAIRMAN.—The Chair overrules the point of order. That concludes the substitute.

Mr. HOLMAN.— Mr. Chairman, from the reading of the substitute I was not able to gather whether the language embodied in the bill, with reference to the consolidation of clerks, had been stricken out.

Mr. BELMONT.— It is not in the bill.

The CHAIRMAN.— If there are no further questions of order, the question is now on agreeing to the substitute, which has been read.

The substitute was agreed to.

Mr. BELMONT.— I move that the committee rise and report the bill as amended to the House.

The motion was agreed to.

The committee accordingly rose, and reported its action to the House.

On motion of Mr. Belmont, the previous question on the amendments was ordered.

The SPEAKER.— The question is on the amendments. Is a separate vote demanded on any amendment?

Mr. REED.—What are the amendments?

The SPEAKER.— The Clerk had better report them.

Mr. BELMONT.— I do not understand that anyone has asked for the reading of the amendments.

The SPEAKER.— The gentleman from Maine (Mr. Reed) inquired what the amendments were.

Mr. REED.— I think it would be well either to have them read or that some explanation be given that we may know what the bill in its present form means.

Mr. BELMONT.— The explanation is that the amendment in the nature of a substitute to conform to the ruling of the Chair has been adopted.

The SPEAKER.— The gentleman can only make a statement by unanimous consent.

The Clerk proceeded to read the substitute.

Mr. REED (interrupting the reading). Is this a substitute for the whole bill?

The SPEAKER.— The Chair understands that it is a substitute for only a part of it.

Mr. BELMONT.— If I may be permitted to give an explanation —

The SPEAKER.— The regular order has been demanded.

Mr. TOWNSHEND.— If it be in order to ask a question, it should be in order to answer it.

Several members called for the regular order.

Mr. REED.— I am sorry the Democratic side do not want that the bill shall be explained.

The Clerk resumed the reading of the bill. Before the reading was concluded —

Mr. REED withdrew the request for the reading.

The SPEAKER.— Is a separate vote demanded on any of the amendments? If not, the question will be taken on the amendments in gross.

The amendments reported by the Committee of the Whole were adopted.

The SPEAKER.— The question is on the passage of the bill.

Mr. REED.— I want to say a word as to that. I have no desire to inflict upon the House the reading of these amendments. But I desire to call attention to the fact that, by reason of the points of order which have been made, there have been very many Consuls and others deprived in this bill of their salaries. Am I correct in that?

Mr. BELMONT.— They have had their salaries reduced.

Mr. REED.— I understand points of order were made with regard to some salaries, and that those points of order struck out the paragraphs which gave those salaries, and nothing has been substituted for them.

Mr. BELMONT.— They were substituted for in every case. But the gentleman from Maine is correct in saying that there have been reductions, reductions under the points of order. The House has now bound itself by rules such that either a change in the rules is absolutely necessary or else it will be incumbent upon the Senate to constantly correct the failure to make the proper appropriations in the House; which is hardly fair to the Senate, besides being a surrender to the Senate of the regulation of amounts in appropriation bills.

Mr. MILLS.— But I ask the gentleman, do you not appropriate according to existing laws?

Mr. RANDALL.— I want to say to the gentleman from Maine that, so far as I understand this bill now, it makes exactly the same appropriation for consular and diplomatic service as regards salaries as were made by the Forty-seventh Congress.

Mr. REED.— I do not understand it so. There are reductions that go back to seventeen hundred and something.

Mr. RANDALL.— If that be so, I was not present when that was done.

Mr. REED.— And I object to the Senate being saddled with the making of these necessary appropriations. It has been the custom, I am aware, and it is a custom I have adverted to several times, and I want to call attention to it again, so that the gentleman from Pennsylvania (Mr. Randall), for instance, may not forget it.

Mr. RANDALL.— Oh! I shall not forget it.

Mr. BELMONT.— I move the previous question on the passage of the bill.

The previous question was ordered, and, under the operation thereof, the bill passed.

February 28, 1887.

Mr. BELMONT REPORTED THE BILL, MOVED THAT THE HOUSE CONCUR IN THE SENATE AMENDMENTS, AND ASKED FOR A CONFERENCE, WHICH MOTION WAS ADOPTED.

[SEE CONFERENCE REPORT, MARCH 2, 1887.]

SPEECH ON CANADIAN NONINTERCOURSE.

February 23, 1887.

[CONTINUED FROM FEBRUARY 16, 1887.]

THE HOUSE HAVING UNDER CONSIDERATION THE BILL (S. 3173) TO AUTHORIZE THE PRESIDENT OF THE UNITED STATES TO PROTECT AND DEFEND THE RIGHTS OF AMERICAN FISHING VESSELS, AMERICAN FISHERMEN, AMERICAN TRADING AND OTHER VESSELS, IN CERTAIN CASES, AND FOR OTHER PURPOSES —

Mr. BELMONT said:

Mr. Speaker, I submit a privileged report under instructions of the Committee on Foreign Affairs on the bill (S. 3173) to authorize the President of the United States to protect and defend the rights of American fishing vessels, American fishermen, American trading and other vessels in certain cases, and for other purposes.

The committee have instructed me to offer a substitute for the Senate bill, which I ask to have read.

Mr. RICE.— I desire to make a point of order before entering upon the consideration of the bill, whether it should not go to the Committee of the Whole?

The SPEAKER.— The bill will be read.

Mr. STEELE.— If this is simply the submission of a report I have no objection.

The SPEAKER.— This bill was referred to the Committee on Foreign Affairs, with the right to report back at any time, which presents it for consideration as a privileged matter, unless the question of consideration is raised and sustained against it, which question can be raised after the bill is read.

The Clerk will read the bill.

The proposed substitute was read, as follows:

Strike out all after the enacting clause and insert:

"That hereafter, whenever the President shall be satisfied that vessels of the United States are denied, in ports or territorial waters of the British dominions in North America, rights to which such vessels are entitled by treaty or by the law of nations, or are denied the comity of treatment or the reasonable privileges usually accorded between neighboring and friendly nations, he may, in his discretion, by proclamation, prohibit from entering the ports of the United States,

or from exercising such privileges therein as he may, in his discretion, by such proclamation, define, vessels owned wholly or in part by a subject of Her Britannic Majesty, and coming or arriving from any port or place in the Dominion of Canada, or in the island of Newfoundland, whether directly or having touched at any other port, excepting such vessels shall be in distress of navigation and of needed repairs or supplies therefor; and he may also forbid the entrance or importation, either by land or water, into the United States of any goods, wares or merchandise from the aforesaid Dominion of Canada or Newfoundland, or any locomotive, car, or other vehicle, with any goods that may be therein contained, from the Dominion of Canada; and upon proof that the privileges secured by Article XXIX of the treaty concluded between the United States and Great Britain on the 8th day of May, 1871, are denied as to goods, wares and merchandise arriving at the ports of British North America, the President may also, by proclamation, forbid the exercise of the like privileges as to goods, wares and merchandise arriving in any of the ports of the United States; and any person violating or attempting to violate the provisions of any proclamation issued under this act, and any person preventing or attempting to prevent any officer of the United States from enforcing such proclamation, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be liable to a fine of not more than $1,000, or imprisonment for a term not exceeding two years, or by both said punishments, in the discretion of the court; and if, on and after the date at which such proclamation takes effect, the master or other person in charge of any vessel thereby excluded from the ports of the United States shall do, in the ports, harbors or waters of the United States, for or on account of such vessel, any act forbidden by such proclamation aforesaid, such vessel, and its rigging, tackle, furniture and boats, and all the goods on board, shall be liable to seizure and forfeiture to the United States; and any goods, wares or merchandise, and any car, locomotive, or other vehicle, coming into the United States in violation of any proclamation as aforesaid, shall be seized and forfeited to the United States.

"§ 2. That whenever, after the issuance of a proclamation under this act, the President is satisfied that the denial of rights and privileges on which his proclamation was based no longer exists, he may withdraw the proclamation, or so much thereof as he may deem proper, and reissue the same thereafter when in his judgment the same shall be necessary."

Mr. STEELE.—I ask now for the reading of the original bill.

The original Senate bill was read, as follows:

Be it enacted, etc., That whenever the President of the United States shall be satisfied that American fishing vessels or American fishermen, visiting or being in the waters or at any ports or places of the British dominions of North America, are or then lately have been denied or abridged in the enjoyment of any rights secured to them by treaty or law, or are or then lately have been unjustly vexed or harassed in the enjoyment of such rights, or subjected to unreasonable restrictions, regulations or requirements in respect of such rights, or otherwise unjustly vexed or harassed in said waters, ports or places; or whenever the President of the United States shall be satisfied that any such fishing vessels or fishermen, having a permit under the laws of the United States to touch and trade at any port or ports, place or places in the British dominions of North America, are or then lately have been denied the privilege of entering such port or ports, place or places, in the same manner and under the same regulations as may exist

therein applicable to trading vessels of the most favored nation, or shall be unjustly vexed or harassed in respect thereof, or otherwise be unjustly vexed or harassed therein, or shall be prevented from purchasing such supplies as may there be lawfully sold to trading vessels of the most favored nation; or whenever the President of the United States shall be satisfied that any other vessels of the United States, their masters or crews, so arriving at or being in such British waters or ports or places of the British dominions of North America, are or then lately have been denied any of the privileges therein accorded to the vessels, their masters or crews, of the most favored nation, or unjustly vexed or harassed in respect to the same, or unjustly vexed or harassed therein by the authorities thereof, then, and in either or all of such cases, it shall be lawful, and it shall be the duty of the President of the United States, in his discretion, by proclamation to that effect, to deny vessels, their masters and crews, of the British dominions of North America any entrance into the waters, ports or places of or within the United States (with such exceptions in regard to vessels in distress, stress of weather, or needing supplies as to the President shall seem proper), whether such vessels have come directly from said dominions on such destined voyage or by way of some port or place in such destined voyage elsewhere; and also to deny entry into any port or place of the United States of fresh fish or salt fish or any other product of said dominions, or other goods coming from said dominions to the United States. The President may, in his discretion, apply such proclamation to any such part or to all of the foregoing-named subjects, and revoke, qualify, limit and renew such proclamation from time to time as he may deem necessary to the full and just execution of the purposes of this act. Every violation of any such proclamation, or any part thereof, is hereby declared illegal, and all vessels and goods so coming or being within the waters, ports or places of the United States contrary to such proclamation shall be forfeited to the United States; and such forfeiture shall be enforced and proceeded upon in the same manner and with the same effect as in the case of vessels or goods whose importation or coming to or being in the waters or ports of the United States contrary to law may now be enforced and proceeded upon. Every person who shall violate any of the provisions of this act, or such proclamation of the President made in pursuance hereof, shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall be punished by a fine not exceeding $1,000, or by imprisonment for a term not exceeding two years, or by both said punishments, in the discretion of the court.

* * * * * * *

Mr. BELMONT.— Mr. Speaker, in view of the gravity of the question now before the House, and the importance to the country that some legislation should be had, it seems to me that the gentlemen on the other side will be willing to come to some agreement as to the limit of the debate. There is no difference in the Committee on Foreign Affairs as to the necessity for legislation. There should be legislation, but there is, for the present, a certain party difference as to the phraseology of the bill and the extent of the authority to be given to the President. That is not, in itself, sufficient to create a long debate in this House, and I know that I speak for the majority of the committee and I think I may also for the minority (although not by authority) in

saying that we must come to a vote. I trust, therefore, that my colleague on the committee (Mr. Rice), or any gentleman who speaks for the minority of the committee, will agree to limit the debate to two hours, giving each side an hour.

Mr. RICE.— Mr. Speaker, I am a little sorry to hear the word "party" dropped by my friend, the chairman of the committee. There is no party division here. Gentlemen of his party voted for the Senate bill in committee as well as gentlemen of the other party. If he will make the distinction between the Senate bill and the Belmont bill, that is all right. I think that each side requires about two hours to discuss this bill. For the Senate bill I am content to accept two hours; for the Belmont bill I am content that the same amount of time shall be had for discussion. As I understand, there are half a dozen gentlemen who desire to speak in favor of the Belmont bill, and there are three or four gentlemen who desire to speak briefly in behalf of the Senate bill. I am willing to agree to a debate of two hours.

Mr. BELMONT.— Mr. Speaker, before reaching the agreement I desire to say to the House that my colleague on the committee (Mr. Rice) is mistaken in describing this bill as "the Belmont bill." It is the bill of the majority of the committee, adopted after mature consideration. So far as I am concerned in the matter, I did introduce a bill, but this is not the same bill which I introduced, and I would regret very much if any gentleman should think that there was any personal consideration involved in the advocacy of this bill, which I know has the approval of those best qualified to judge of the condition of our relations to other governments.

Mr. RICE.— If the gentleman will allow me —

Mr. HATCH.— Mr. Speaker, I rise to a question of order.

The SPEAKER.— The gentleman will state it.

Mr. HATCH.— Is this question debatable?

The SPEAKER.— It is. There is really no question being debated. Gentlemen are endeavoring to arrive at some arrangement with regard to the length of the debate.

Mr. HATCH.— I understood that the gentleman from New York (Mr. Belmont) had made a motion to limit the debate to one hour.

The SPEAKER.— That motion would not be in order. This matter is being considered in the House, not in committee, and the only way to limit debate is by agreement or by demanding the previous question.

Mr. HATCH.— It seems to me that we are wasting a good deal of time.

Mr. BELMONT.— Mr. Speaker, there can be no doubt in the minds of gentlemen as to the importance of reaching a conclusion to-day. Legislation is pressing upon us and the end of the session is not far off. I trust that no gentleman will assume the responsibility of endangering the necessary legislation, and my friend on the committee (Mr. Rice) will, perhaps, agree to a debate continuing for three hours, giving each side an hour and a half.

A MEMBER.— That is not enough.

Mr. BELMONT.— But I would prefer two hours.

The SPEAKER.— The gentleman from Massachusetts (Mr. Rice) proposes that the debate shall continue for four hours, allowing two hours to each side. The gentleman from New York (Mr. Belmont) suggests three hours, giving each side an hour and a half. Does the gentleman from Massachusetts agree to the suggestion of the gentleman from New York?

Mr. REAGAN.— Mr. Speaker, is an amendment in order?

Mr. RICE.— I agree to the proposition of the chairman of the committee.

The SPEAKER.— Then three hours will be allowed for debate, and the gentleman from New York (Mr. Belmont) has the floor. Does the inquiry of the gentleman from Texas (Mr. Reagan) apply to amendments to the bill?

Mr. REAGAN.— No; I mean an amendment to the proposition as to the time to be allowed for debate.

The SPEAKER.— There is no motion with regard to the time. The gentlemen are making an agreement between themselves.

Mr. BELMONT.— I understand that my colleague on the committee (Mr. Rice) has accepted my proposition.

The SPEAKER.— The Chair has so stated.

Mr. BELMONT.— Then I ask unanimous consent that that be the agreement as to the length of the debate.

Mr. REAGAN.— I move to amend by limiting the debate to two hours, giving an hour on each side.

The SPEAKER.— Unanimous consent is asked that the debate on this bill be closed at the expiration of three hours, the time to be equally divided among the opponents and the supporters of the substitute, and that the previous question be considered as ordered at the expiration of that time. Does the proposition include the right to offer and vote upon amendments, or not? There had better be an understanding upon that subject.

Mr. BELMONT.— That is included.

Mr. RICE.— We desire to offer no amendments on our side. We suppose that the vote will be a direct vote between the two propositions.

The SPEAKER.—Then that will be the understanding. Does the gentleman from Texas (Mr. Reagan) object to the arrangement proposed?

Mr. REAGAN.— I move to amend —

The SPEAKER.— The gentleman can not make a motion at this time.

Mr. REAGAN.— Then I object.

Mr. SPRINGER.— I suggest that the gentleman from Texas ask unanimous consent that the debate be limited to two hours.

The SPEAKER.— That request has been already made and has been objected to by the gentleman from Massachusetts (Mr. Rice). The gentleman from Texas (Mr. Reagan) objects to the proposed agreement as to time.

Mr. SPRINGER.— If the gentleman from New York (Mr. Belmont) will now state that at the end of three hours from this time he will move the previous question, this whole matter will be settled.

Mr. BELMONT.— If that will facilitate the arrangement, I state that at the end of three hours I will call the previous question.

Several MEMBERS.— That is right.

Mr. BELMONT.— Mr. Speaker, the question of the American fisheries on the Canadian coasts is one that has engaged the attention of this Government since its foundation; and, although from time to time temporary arrangements have settled it, yet it has now reached a point, by the lapse of those temporary arrangements through the abrogation of the fisheries clauses of the treaty of Washington of 1871, when it again demands the serious consideration of the country. It is not a mere commercial question affecting simply the restrictions upon American fishermen or upon fish coming into the United States from Canada. The important question for us from a national standpoint is whether we are willing to acquiesce in repeated violations of a treaty.

The treaty of peace of 1783 declared independence, defined boundaries, and was permanent in its provisions. By the third article of that treaty the people of the United States were confirmed in certain "rights" to the deep-sea fisheries — rights as clearly defined and as permanent as the boundaries. There were also conferred upon them certain "liberties" as to the inshore fisheries; and this distinction between "rights" to the deep-sea fisheries and "liberties" to the inshore fisheries has been maintained in our negotiations ever since, and is to-day maintained.

The war of 1812 did not disturb our rights to the fisheries; nor were the fisheries mentioned in any of the articles of the treaty of Ghent in 1814. There were disputes about the fisheries, resulting mainly from

the system of commercial nonintercourse with the colonies of Great Britain existing at the time. These disputes led to the treaty of 1818, by which the area of American inshore fisheries was reduced; but in no article of that treaty are the deep-sea fisheries alluded to in any manner.

Following upon the treaty of 1818 were certain concerted legislative enactments which finally put an end to the commercial nonintercourse. Preceding these, however, in 1827 a proclamation was issued by President Adams declaring commercial intercourse, which is a very appropriate precedent for the present proposed legislation, and it can well be referred to here. It reads as follows:

By the President of the United States of America.

A PROCLAMATION.

Whereas, By the sixth section of an Act of Congress, entitled "An act to regulate the commercial intercourse between the United States and certain British colonial ports," which was approved on the 1st day of March, in the year of our Lord 1823, it is enacted "that this act, unless repealed, altered or amended by Congress, shall be and continue in force so long as the above-enumerated British colonial ports shall be open to admission of the vessels of the United States, conformably to the provisions of the British Act of Parliament of the 24th of June last, being the forty-fourth chapter of the acts of the third year of George IV; but if at any time the trade and intercourse between the United States and all or any of the above-enumerated British colonial ports, authorized by the said Act of Parliament, should be prohibited by a British order in council, or by Act of Parliament, then, from the day of the date of such order in council, or Act of Parliament, or from the time that the same shall commence to be in force, proclamation to that effect having been made by the President of the United States, each and every provision of this act, so far as the same shall apply to the intercourse between the United States and the above-enumerated British colonial ports, in British vessels, shall cease to operate in their favor; and each and every provision of the 'act concerning navigation,' approved on the 18th day of April, 1818, and of the act supplementary thereto, approved on the 15th of May, 1820, shall revive and be in full force;" and

Whereas, By an Act of the British Parliament, which passed on the 5th day of July, in the year of our Lord 1825, entitled "An act to repeal the several laws relating to the customs," the said Act of Parliament of the 24th of June, 1822, was repealed; and by another Act of the British Parliament, passed on the 5th day of July, in the year of our Lord 1825, in the sixth year of the reign of George IV, entitled "An act to regulate the trade of the British possessions abroad," and by an order by His Britannic Majesty in council, bearing date the 27th of July, 1826, the trade and intercourse authorized by the aforesaid Act of Parliament of the 24th of June, 1822, between the United States and the greater part of the said British colonial ports, therein enumerated, have been prohibited upon and from the 1st day of December last past, and the contingency has thereby arisen on which the President of the United States was authorized by the sixth

section aforesaid of the Act of Congress of 1st March, 1823, to issue a proclamation to the effect therein mentioned:

Now, therefore, I, John Quincy Adams, President of the United States of America, do hereby declare and proclaim that the trade and intercourse authorized by the said Act of Parliament of the 24th of June, 1822, between the United States and the British colonial ports enumerated in the aforesaid Act of Congress of the 1st of March, 1823, have been, and are, upon and from the 1st day of December, 1826, by the aforesaid two several Acts of Parliament of the 5th of July, 1825, and by the aforesaid British order of Council of the 27th day of July, 1826, prohibited.

Given under my hand, at the city of Washington, this 17th day of March, in the year of our Lord 1827, and the fifty-first year of the Independence of the United States.

JOHN QUINCY ADAMS.

By the President:

H. CLAY, *Secretary of State.*

Interdiction of commerce with Canada and the British colonies was the uniform policy of Great Britain for many years after the treaty of peace with the United States. In 1822-1823 Parliament opened these ports to our commerce, and Congress, in return, opened our ports to Canadian vessels. Under this system trade greatly flourished between the provinces and the United States. Great Britain, however, was far from agreeing to regard this as a permanent concession. By a statute passed in 1825 the colonial ports were opened to foreign commerce on condition that British shipping should be placed on the footing of the most favored nation. A year was given for the acceptance of this condition. Through causes which it is not necessary to detail, the United States did not accept the condition, and at the expiration of the year United States vessels were interdicted from entering British colonial ports. On February 8, 1826, our Government was notified that our vessels were interdicted from entering the port of Halifax in particular, and in general all other British colonial ports. And Mr. Adams, in his message of December 8, 1827, said:

> The British Government have not only declined negotiation upon this subject, but by the principle they have assumed with reference to it have precluded even the means of negotiation. It becomes not the self-respect of the United States either to solicit gratuitous favors or to accept as the grant of a favor that for which an ample equivalent is exacted.

No action, however, was taken by Congress on the subject, whereupon the President, on March 17, 1827, issued the proclamation I have referred to, declaring trade with the British colonies prohibited, and reviving the restrictions of the acts of 1818 and the following years. This was the condition of our relations when Mr. Adams' administration closed.

When Mr. Van Buren was Secretary of State, in the succeeding administration of General Jackson, negotiations ensued by which the restrictions on both sides were withdrawn.

We have, therefore, in these proceedings, a precedent for interdiction of colonial commerce, not as a war measure, but as incident to a negotiation by which a relief from prior restrictions was obtained.

The arrangements through these legislative enactments of our disputed fishery rights and the questions arising therefrom were temporarily superseded by the reciprocity treaties of 1854 and 1871, and by the rescinding in 1885 of the fishery clauses of the treaty of 1871 we are to-day brought back to the treaty of 1818; and the present contention is founded upon the interpretation of that treaty.

The fact that the treaty of 1818 in no part of it refers to the deep-sea fisheries is another confirmation of the permanent rights to the deep-sea fisheries which were declared in the treaty of peace of 1783, and arising out of both of these treaties there is a zone of inshore fishing free and open to American fishermen. There is also another zone into which, by the treaty of 1818, our fishermen are prohibited from entering for the purpose of fishing. We have no desire or intention of entering the prohibited waters as defined in the treaty of 1818, but we do ask that that treaty be interpreted according to its provisions, which refer only to the inshore fisheries.

This is practically our contention as exhibited in the correspondence before the House and in the message of the President. The Canadian contention is shown by that correspondence, and also by the expressed opinions of the Canadian officials as contained in the documents before the House. I cite, for instance, the declaration of the Canadian Minister of Marine and Fisheries of June 5, 1886, that a particular vessel, being a fishing vessel, was "as such debarred by the treaty of 1818 from entering Canadian ports."

On June 7, 1886, the Canadian Governor-General advised the Secretary of State for Foreign Affairs at London:

> The two vessels which have been seized are both of them beyond all question fishing vessels, and not traders, and, therefore, liable, subject to the finding of the courts, to any penalties imposed by law for the enforcement of the convention of 1818 on parties violating the terms of that convention.

Again, on August 14, 1886, the Minister of Marine and Fisheries said:

> There seems no doubt, therefore, that the Novelty was in character and in purpose a fishing vessel, and as such comes under the provisions of the treaty of 1818, which allows United States fishing vessels to enter Canadian ports "for

the purpose of shelter and repairing damages therein, and of purchasing wood and of obtaining water, and for no other purpose whatever."

And in one of the latest communications — an answer to a communication of the State Department to the British Minister in Washington, bearing date the 20th of May last, this answer having been received only on the 28th of January, 1887, eight months after the date of the original communication — this reply is given as embodying the approved minutes of the Canadian Privy Council, approved by the Government of Great Britain:

If the United States authorities are the judges as to what is prejudicial to those interests —

Meaning the fishery interests of Canada —

the treaty will have very little value. If the provinces are to be the judges, it is most prejudicial to their interests that the United States fishermen should be permitted to come into their harbors on any pretext; and it is fatal to their fishery interests that these fishermen, with whom they have to compete at such disadvantage in the markets of the world, should be allowed to enter for supplies and bait, even for the pursuit of the deep-sea fisheries.

That places the contention in a nutshell, and shows that the Canadian purpose is to strain the treaty of 1818 to cover the deep-sea fisheries, and virtually to make our deep-sea fisheries territorial waters of Great Britain, covered by the restrictions of the treaty of 1818 upon inshore fisheries. Not only does this appear from their statements, but also from their legislative enactments — the Canadian acts of 1844, of 1868, of 1870, and finally the act which has caused the greatest dissatisfaction in this country, not alone by reason of its particular provisions, but because this Government, after its passage by the Canadian Parliament, earnestly protested in London against its proclamation by the Queen and Council; and yet the proclamation was issued.

The third section of that act reads as follows:

3. Any one of the officers or persons hereinbefore mentioned may bring any ship, vessel or boat, being within any harbor of Canada, or hovering in British waters within three marine miles of any of the coasts, bays, creeks or harbors in Canada, into port and search her cargo, and may also examine the master upon oath touching the cargo and voyage; and if the master or person in command does not answer the questions put to him in such examination, he shall incur a penalty of $400; and if such ship, vessel or boat is foreign, or not navigated according to the laws of the United Kingdom or of Canada, and (A) has been found fishing, or preparing to fish, or to have been fishing, in British waters within three marine miles of any of the coasts, bays, creeks or harbors of Canada, not included within the above-mentioned limits, without a license, or after the

expiration of the term named in the last license granted to such ship, vessel or boat under the first section of this act, or (B) has entered such waters for any purpose not permitted by treaty or convention, or by any law of the United Kingdom or of Canada for the time being in force, such ship, vessel or boat, and the tackle, rigging, apparel, furniture, stores and cargo thereof shall be forfeited.

This act, it will be perceived, not only forfeits any American vessel which shall enter Canadian ports in violation of Canadian law (the Canadians themselves being the judges of what is in violation of their own local laws), but confers the right of search on the high seas and the power of seizing American vessels on suspicion.

I will ask the Clerk to read, or perhaps it would be as well for me to read myself, the statement of the Secretary of State in regard to this statute:

DEPARTMENT OF STATE,
WASHINGTON, *May* 29, 1886.

Sir.— I have just received an official imprint of House of Commons bill No. 136, now pending in the Canadian Parliament, entitled "An act further to amend the act respecting fishing by foreign vessels," and am informed that it has passed the House and is now pending in the Senate.

This bill proposes the forcible search, seizure and forfeiture of any foreign vessel within any harbor in Canada, or hovering within three marine miles of any of the coasts, bays, creeks or harbors in Canada, where such vessel has entered such waters for any purpose not permitted by the laws of nations, or by treaty or convention, or by any law of the United Kingdom or of Canada now in force.

I hasten to draw your attention to the wholly unwarranted proposition of the Canadian authorities, through their local agents, arbitrarily to enforce according to their own construction the provisions of any convention between the United States and Great Britain, and, by the interpolation of language not found in any such treaty, and by interpretation not claimed or conceded by either party to such treaty, to invade and destroy the commercial rights and privileges of citizens of the United States under and by virtue of treaty stipulation with Great Britain and statutes in that behalf made and provided.

I have also been furnished with a copy of circular No. 371, purporting to be from the Customs Department at Ottawa, dated May 7, 1886, and to be signed by J. Johnson, Commissioner of Customs, assuming to execute the provisions of the treaty between the United States and Great Britain, concluded October 20, 1818, and printed copies of a warning, purporting to be issued by George E. Foster, Minister of Marine and Fisheries, dated at Ottawa, March 5, 1886, of a similar tenor, although capable of unequal results in its execution.

Such proceedings I conceive to be flagrantly violative of the reciprocal commercial privileges to which citizens of the United States are lawfully entitled under statutes of Great Britain and the well-defined and publicly-proclaimed authority of both countries, besides being in respect of the existing conventions between the two countries an assumption of jurisdiction entirely unwarranted and which is wholly denied by the United States.

In the interest of the maintenance of peaceful and friendly relations, I give you my earliest information on this subject, adding that I have telegraphed

Mr. Phelps, our Minister at London, to make earnest protest to Her Majesty's Government against such arbitrary, unlawful, unwarranted and unfriendly action on the part of the Canadian Government and its officials, and have instructed Mr. Phelps to give notice that the Government of Great Britain will be held liable for all losses and injuries to citizens of the United States and their property caused by the unauthorized and unfriendly action of the Canadian officials to which I have referred.

I have, etc.,

T. F. BAYARD.

This letter was addressed to the British Minister in Washington last May; and yet the statute so earnestly complained of was proclaimed by the Queen, in council, on the 24th December last.

During the last fishing season, as appears from the detailed statement appended to the report now before the House, four American vessels have been driven off from Canadian ports in storm or stress of weather; fifteen vessels have been detained for alleged violations of customs; three vessels have been seized outright for alleged violations of the treaty of 1818; twelve vessels have been warned off; three vessels have been boarded and searched; forty vessels have been refused the privilege of landing to buy provisions; one vessel, wrecked, was refused the right to land its shipwrecked crew until the revenue cutter gave permission; fifteen vessels have not been allowed to land, to ship, or discharge crews, and three vessels have been refused permission to forward their fish to home ports by steamer.

It will be evident to the House that after the adjournment of Congress, when the fishing season will recommence, this statute may be put in operation much more seriously to our detriment. It is for this reason that in self-defense we are obliged to confer upon the President the power of defensive retaliation now proposed.

There has been no question in the Senate as to the necessity of granting this power; but in the opinion of a majority of the Committee on Foreign Affairs the bill which has come to the House from the Senate is, with all due reference, open to certain objections. It provides in one section that the President shall issue his proclamation in case he is satisfied that our vessels are denied the rights granted to the vessels of the most favored nations.

But we have no treaty with Great Britain containing any favored-nation clause, nor do we intend to put ourselves upon the same footing as any other nation, since under the treaty of peace we have certain rights to the deep-sea fisheries — rights acquired by joint conquest, rights which no other nation, excepting Great Britain and ourselves, possess. It would be a great mistake and most unfortunate in my

opinion if the idea contained in that clause of the Senate bill should be imported into the discussion; and if Congress should adopt the bill in that form, undoubtedly our opponents in the negotiations would take advantage of it to raise some question hitherto not thought of.

Mr. Speaker, it is but fair to the Executive, when Congress is to place upon him this very grave responsibility, that it should be conferred in the most distinct terms. The Senate bill provides for the exclusion of fish, and for the exclusion, in the discretion of the President, of the products of Canada, and it further contains a provision for the exclusion of "all other goods" coming from Canada.

If the merchandise whose entrance into the United States is to be prohibited is merely that which is the product of Canada, how could such a provision be enforced? The fact that a Canadian car contained merchandise would be no proof that such merchandise was the product of Canada. If, on the other hand, under the Senate bill all merchandise coming to the United States from Canada is to be shut out the people of the United States would thereby be deprived of the benefit of land transit for merchandise through Canada, while under the continuing Article XXIX of the treaty of 1871 Canada would still have the right to send merchandise through the territory of the United States in sealed cars during the winter, when her own ports are closed.

According to the London Quarterly Review for January, 1887, the Canadian Pacific railroad, now complete between Montreal and the Pacific, will, when the "short line" to the Atlantic it proposes is finished, establish the shortest line in existence between the Atlantic seaboard and the Pacific, the distance between New York and San Francisco being three thousand two hundred and seventy-one miles, and between Montreal and Vancouver, two thousand nine hundred and five. In this way the present route to Japan from England (by way of Brindisi) will be reduced fifteen days, and that to Hong-Kong seven days, while the whole foreign interoceanic commerce will be transferred from the United States to Canada roads.

The short line —

Says the Quarterly —

will, of course, as it passes for some one hundred and fifty miles through the State of Maine, not be available for troops and war materials; but commerce fortunately can, by sealed cars and bonding arrangements, afford to disregard political boundaries.

In other words, according to this statement, if true, transit over territory of the United States, by "sealed cars and bonding arrangements,"

is to be used to take from our transcontinental roads the whole business between Europe and Asia, when, at the same time, the transit rights, not merely of ancient title and treaty, but of humanity, are to be refused to our fishermen on the northeast Atlantic coast.

The House bill, it will be observed, provides in terms for the inequality which would arise from the treaty of 1871, under the Senate bill.

The Senate bill does not provide, in the belief of many gentlemen, for the stoppage of railroads. By some it is held that it might so provide. I shall not undertake to say whether it does or does not, although I believe it does not; but the House bill does clearly, distinctly and unequivocally confer upon the President discretionary power to stop the rolling stock of such roads. It is only a discretionary power, and such a law, if enacted to produce any beneficial results, should be unquestionable in its prohibitory effects. There should be no doubt either in the mind of those who legislate upon the subject or upon our opponents in the pending negotiations as to the effect of such legislation, and the stronger measure is the House measure, for which reason, under these circumstances, it is the wiser and more prudent.

Mr. Speaker, I reserve the remainder of my time.

Mr. DINGLEY.— Before the gentleman takes his seat I desire to ask a question. I wish to call his attention to one provision reported in the substitute bill on which I would like to have his interpretation. The gentleman has stated that he favors the bill reported by the committee for the reason that it is more definite.

Mr. BELMONT.— I can not hear the gentleman.

Mr. DINGLEY.— The gentleman has stated that he favors the substitute bill as being more definite than the Senate bill. I would like to understand what the phrase beginning in the twelfth line in the following words means:

Vessels owned wholly or in part by a subject of Her Britannic Majesty.

What is that intended to cover?

Mr. BELMONT.— The language of the twelfth line of the House amendment refers to vessels owned wholly or in part by subjects of Her Britannic Majesty.

Mr. DINGLEY.— Is that intended to cover simply British vessels?

Mr. BELMONT.— It is intended to provide for the difficulty, in case there should be a transfer of ownership. If we simply shut out vessels under the British flag it would not be sufficiently definite. There might be a transfer of ownership. But this provides that vessels owned wholly or in part by a subject of Her Britannic Majesty will come within the provisions of the proclamation.

Mr. DINGLEY.— The language is "or in part." But supposing a French vessel is owned partly by a British subject, would it not also be brought under the provisions of this act?

Mr. BELMONT.— It would.

Mr. DINGLEY.— Would not an American vessel owned partly by a British subject also be brought under the provisions of this act?

Mr. BELMONT.— It would; and it is exactly to provide for the danger — and I regret very much to refer to it — that some of our citizens, notwithstanding the grave importance of the question from a national standpoint, might perhaps come to some arrangement with our Canadian neighbors for their own interest. It is to meet that danger that this provision has been introduced. It may, perhaps, be injurious to certain fishing industries. But if we are brought into this difficulty by reason of the trouble upon the Eastern coast, certainly our friends from Maine must concede that the country at large, in taking up this question, can not undertake to provide also for protection to individuals —

Mr. MILLS.— Who are evading the law.

Mr. BELMONT.— Yes; who are evading the law.

[After further debate.]

Mr. BELMONT.— I desire to say, Mr. Speaker, that the amendment offered by the gentleman from Maine (Mr. Dingley) will be perfectly satisfactory and ought to be adopted as a section of the bill, and I am willing to accept it.

The SPEAKER *pro tempore*.— The Chair will inform the gentleman that a vote will have to be taken on the amendment offered by the gentleman from Maine (Mr. Dingley). The gentleman from New York (Mr. Belmont) can not accept it for the House.

Mr. BELMONT.— Then let it be included in the motion for the previous question.

The previous question was ordered.

* * * * * * *

The SPEAKER *pro tempore*.— The question is first on the amendment proposed by the gentleman from Maine (Mr. Dingley) to the substitute reported by the Committee on Foreign Affairs. The Clerk will report the amendment of the gentleman from Maine.

The Clerk read as follows:

Add as section 3 the following:

"That any vessel of foreign nationality or ownership, within the meaning of the term 'vessel,' as defined in section 3 of the Revised Statutes, found engaged in taking fish of any kind within three marine miles of any of the marine coasts,

bays, creeks or harbors of the United States, or within sea, lake or river waters of the United States, shall be liable to seizure and forfeiture, and to proceedings to enforce said forfeiture; and any person employed on or with such vessel found taking fish of any kind in such waters shall be liable to a fine of $50 for every such offense; and said penalty shall be a lien upon the vessel in connection with which such person is employed, to recover which penalty such vessel shall be subject to libel: *Provided*, That this section shall not be construed to affect any right or liberty granted by treaty or reciprocal agreement, or to affect any exclusive rights of a State to regulate fisheries within State jurisdiction: *And provided further*, That the penalties and forfeitures herein described may be remitted or mitigated by the Secretary of the Treasury, when incurred without willful disregard of law, under such regulations and modes of ascertaining the facts as may seem to him advisable."

The amendment was agreed to.

The question then recurred on agreeing to the substitute as amended.

The question having been taken,

The SPEAKER *pro tempore* said: The noes seem to have it.

Mr. BELMONT.— I call for a division.

Mr. RICE.— I call for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were — yeas, 137; nays, 124; not voting, 57.

* * * * * * *

The question recurred on the passage of the bill.

Mr. BELMONT demanded the previous question.

The previous question was ordered.

Mr. HITT demanded the yeas and nays.

The yeas and nays were ordered.

The question was taken; and it was decided in the affirmative — yeas, 256; nay, 1; not voting, 61.

[CONFERENCE REPORT, FEBRUARY 28, 1887.]

Mr. BELMONT presented a conference report on the bill of the Senate, 3173, to authorize the President of the United States to protect and defend the rights of American fishing vessels, American fishermen, American trading and other vessels in certain cases, and for other purposes, to the effect that, after full and free conference, no agreement had been reached. The report was signed by Perry Belmont, J. C. Clements and W. W. Rice, managers on the part of the House, and George F. Edmunds, John T. Morgan and William P. Frye, managers on the part of the Senate.

Mr. BELMONT.— I ask that the statement of the House conferees be read.

The statement was read as follows:

The undersigned managers of the conference on the part of the House on the disagreeing votes of the two Houses on the amendment of the House of Representatives to the bill (S. 3173) to authorize the President of the United States to protect and defend the rights of American fishing vessels, etc., submit the following statement:

The unanimity expressed in the Senate and in the House, respectively, had given the managers on the part of the House every reason to hope that, by mutual concessions, an agreement would be reached in conference, which would result in giving such ample authority to the President as might be necessary for a satisfactory settlement of the pending question of the American fisheries on the Canadian coast. It is, therefore, with the deepest regret and disappointment they are compelled to report a disagreement.

The managers on the part of the House entered the conference with the deepest determination that no minor difference should stand in the way of an agreement. They proposed, in order to remove all question on the part of the Senate conferees as to violation of the treaty of 1871, to insert in line 21 of the amended bill, after the word "Newfoundland," as follows:

"Except such goods, wares and merchandise as are entitled to enter the United States under Article XXIX of the treaty concluded between the United States and Great Britian on the 8th day of May, 1871, and may also forbid the entrance of any locomotive, car or other vehicle, with any goods that may be continued therein, except such as are wholly loaded with and exclusively engaged in the transportation of goods, wares and merchandise entitled to come into the United States under said Article XXIX."

This amendment was not accepted, and it became evident that no proposition that included cars and rolling stock in the operation of the law would be acceptable to the Senate conferees. The unanimous voice of the House authorizing the President to declare, in his discretion, nonintercourse with Canada by land as well as by sea, did not, in the opinion of your conferees, leave them at liberty to disregard that important principle contained in the House substitute for the Senate bill. They, therefore, declined to recede in conference from the position taken by the House on this point.

The dignified, deliberate and earnest maintenance of our national rights under treaty stipulations, under public commercial laws and ordinary international comity, is the sole object of the United States. If these rights have been impaired and invaded, and redress, when properly asked for, has been refused, or not accorded, then self-respect as a nation

and a sense of duty to our citizens should compel the people of the United States to act as a unit in adopting such measures as will restore the rights of their citizens. If a suspension of commercial intercourse be asserted as the remedy for the withholding of commercial privileges, such suspension should be coextensive with the attainment of the desired end, and would be useless, or worse, if it fell short of that.

To limit such nonintercourse to a single article of commerce, or to a single mode of communication would not be just in theory nor adequate in practice. The act of exclusion, to be successful, should be effective and unmistakable in its extent and results. The opinions which have found expression in the Senate bill, and which have been reflected in the conference, would limit the action of the Government to a prohibition upon the importation of Canadian fish into the United States. The House conferees are of opinion that, if such a prohibitory law be deemed sufficient for a settlement of important political questions as to American rights under treaty stipulations, the obvious and proper method would be to pass a tariff enactment to that effect.

The question to be legislated upon is national in its aspects and not sectional or local. It is not the article fish we are to consider, but the rights of our citizens under international law and our treaties with Great Britain. The rights of the fishermen are national rights, and the whole nation is concerned in resisting their destruction or diminution. It is not the profit or loss of the fishing that is in question, but the right to fish, to navigate and to trade that is at stake. The establishment of nonintercourse by railroad might possibly inflict hardship upon some of our citizens, but your conferees are unwilling to believe that private interests will be placed above the maintenance of the honor and dignity of the country.

The settlement of the pending question rests upon the Government of the United States and the Government of Great Britain. It will continue to be a recurring source of irritation, annoyance and even danger, so long as it is permitted to remain in the condition of a dispute between our fishermen and the Canadian authorities. The action of the administration has been directed to accommodate all differences and to procure an amicable, just and honorable settlement. To such overtures no reply has yet been made, although since December 3, 1886, a proposition looking to such an adjustment, which we had been invited to make, has been in the hands of the British Government.

If Great Britain will join in a just and reasonable interpretation of the treaty of 1818 with the United States, there will be no difficulty; but should that Government continue to sustain its provinces in a misuse of the provisions of that treaty we must prevent it. Nonintercourse

applied to essential lines of British railway traffic should be more effective than confining our action to the exclusion of fish alone, which is the sum and substance of the Senate bill.

We deal with Great Britain, not Canada, and our measures should be begun with that view and with a determination to continue them until just action is arrived at.

PERRY BELMONT.
J. C. CLEMENTS.

Mr. RICE.— Mr. Speaker —

Mr. BELMONT.— I believe I have the floor.

Mr. RICE.— I desire to make a motion which, I believe, takes precedence.

The SPEAKER.— There is no question now that can come before the House except this conference report. After it is disposed of, motions will be in order.

Mr. RICE.— This is not the report of the conferees, Mr. Speaker. It is simply a statement made by two gentlemen.

The SPEAKER.— This Chair understands that it is a report of a disagreement, and is signed by the managers on the part of the Senate as well as by the managers on the part of the House.

Mr. RICE.— It is not.

The SPEAKER.— The Chair thinks the gentleman is mistaken, but the Chair will examine. (After examining the paper.) The report is signed by the managers on the part of the Senate as well as by the managers on the part of the House. The statement which has just been read, to which the gentleman from Massachusetts (Mr. Rice) probably refers, has been read in the time of the gentleman from New York (Mr. Belmont), and is no part of the report.

Mr. BELMONT.— Mr. Speaker, the action which has been taken in regard to this statement was, in the opinion of those who have signed it, a necessity, because of the course of the conferees acting for the body at the other end of the Capitol. I do not know how far it is proper to here refer to the action of the Senate, but it is a matter of public notoriety that a report was made by the Senate conferees from which it appeared that there were irreconcilable differences between the Senate and the House. Such is the language of the report made for the information of the Senate.

The majority of the conference committee on the part of the House regret exceedingly that the gentlemen representing the other body should have reached the conclusion that our differences are irreconcilable. It may be so; but, as they have made such a statement in a report to the

Senate, it seemed but right that we, the majority of the conference committee on the part of the House, should make to this body a statement of our grounds of difference. We do not say that our differences are irreconciliable; but we declare that we do not feel at liberty to disregard the expressed will of the House — a will expressed unanimously.

It may be that some gentlemen who have presented views on this question believe that the limit upon the action of Congress should be established by the citizens injured; in other words, that we should limit our action in accordance with the wishes and interests of our fellow-citizens in New England and of the fishermen who have been injured. But your conferees have been of the opinion that the House of Representatives, as shown by its vote, believed this to be a purely national question, not a question to be decided by a retaliatory measure, which should have effect upon a particular product and a particular locality only. We have not believed that, in response to Canadian aggressions, we should do something not clearly defined, unless it be a prohibition of the entrance of fish from Canada to the United States, for such, with the exception of certain provisions of doubtful interpretation, is the chief purpose of the Senate bill.

Congress never would have taken the step it has taken in this matter had this not been regarded as solely a national question. Otherwise, we might have similar action demanded by other sections of the country. If the limit of our action should be decided by the views of the persons injured it might be that our fellow-citizens upon the Mexican border would, through their representatives in Congress, demand that a discretion be given to the President to declare a certain limited nonintercourse in regard to Mexican imports which came in conflict with Texan products. It might be that our friends from California might deem it necessary to give to the President certain discretionary power to declare a limited nonintercourse as to a special class of persons coming to this country.

But, as shown in the statement of a majority of the conferees, which has been read, your conferees felt it their duty to insist upon the position taken by the House. Any other course would have been considered by them a failure, not only in the appreciation of the dignity of the House itself, but of the international importance of the pending controversy between the United States and Great Britain.

I ask, Mr. Speaker, that the report follow the same course which has been adopted in the Senate. I know no reason why the report of the Senate conferees should have been published in the Record, unless the

same privilege can be granted to the House conferees. Furthermore, the report in the Senate is to be printed as a document, and I ask the same privilege for the House report.

The SPEAKER.— The Chair will state that, if the gentleman, by the term "report," means to refer to the paper which has been signed by two of the managers on the part of the House, that has been read as a part of the debate, and goes into the Record as a matter of course.

Mr. BELMONT.— So I understand, Mr. Speaker; but the report of the Senate conferees is also to be printed separately as a document.

The SPEAKER.— What is the request of the gentleman from New York?

Mr. BELMONT.— My request is that the report read here take the same course as the report in the Senate.

The SPEAKER.— The gentleman asks, as the Chair understands, that it be printed as a document. Is there objection?

Mr. RICE and others objected.

Mr. DINGLEY.— What is it that the gentleman desires to have printed, his argument or the report?

The SPEAKER.— The paper which was read; not the report.

Mr. DINGLEY.— The speech.

The SPEAKER.— There is only one report. That is the paper signed by the managers on the part of both the House and the Senate.

Mr. DINGLEY.— There is no objection to the report being printed, but the proposition to print the speech of the gentleman as a document is entirely out of the usual course.

The SPEAKER.— The gentleman from Massachusetts (Mr. Rice) objects to the request. Does the gentleman from New York (Mr. Belmont) reserve his time?

Mr. BELMONT.— I do.

(At the conclusion of an address by Mr. Rice, the House adjourned.)

March 2, 1887, debate was renewed upon the question, addresses being made to the House by Messrs. Clements, Daniel, Hitt, Long, Breckenridge, of Kentucky, Reed, and others.

At the conclusion of the debate, on motion of Mr. Belmont, the report was accepted.

Mr. Rice moved that the House recede from its amendment (to substitute the Belmont bill) to the bill of the Senate. The motion to recede was agreed to — yeas, 148; nays, 136.

The bill was signed by the President March 3, 1887.

PRESS HISTORY OF THE PROGRESS OF THE NONINTERCOURSE BILL.

A NONINTERCOURSE ACT.

(New York Times, January 18, 1887.)

The bill introduced in the House of Representatives yesterday by Mr. Belmont proposes to go much further than the act passed at the last session of Congress in retaliating upon Canada for her treatment of American vessels seeking to trade in the ports of the Dominion. The act of last year authorized the President in effect to suspend the commercial privileges in our ports of Canadian vessels when similar privileges are denied to American vessels in Canadian ports. Under this authority, according to the interpretation which our Government has adopted of the present regulation of commercial privileges, the President might presumably suspend the right of Canadian vessels to trade in our ports on the ground that our vessels engaged in the deep-sea fisheries and having trade permits are denied the right to purchase supplies in Canadian ports or to land fish to be sent to the United States in bond. Thus far there has been no exercise of this authority, the Government preferring during the last session not to embarrass the negotiations for a settlement of the fishery dispute.

The Belmont bill in effect places in the hands of the President the power to stop commercial intercourse with Canada whenever he is satisfied that vessels of the United States are denied in the ports of that country "rights to which such vessels are entitled by treaty or by the law of nations." It is presumed that this is intended to cover those rights which have been secured by reciprocal legislation between this country and Great Britain. The power which it is proposed by this bill to give to the President is by proclamation to "prohibit vessels bearing the British flag and coming from such (Canadian) ports from entering the ports of the United States, or from exercising such privileges therein as he may in his proclamation define." He may also by such proclamation "forbid the entrance into the United States of all merchandise coming by land from the provinces of British North America," and of the "cars, locomotives, or other rolling stock of any railroad chartered under the laws of said provinces." Should the extreme power implied in these provisions be exercised, it would probably provoke a retaliation in kind and this shall put an end for the time to commercial nonintercourse between the United States and the British provinces.

The second section of the bill has a special reference to the privilege of transporting goods in bond. The twenty-ninth article of the treaty of Washington declares that goods, wares and merchandise arriving at certain ports of the United States and destined for the British provinces and goods, wares and merchandise from the provinces for export from such ports of the United States may be conveyed in transit through our territory under proper regulations without payment of duties. Correspondingly, goods, wares and merchandise arriving at ports of the provinces and destined for the United States and those from the United States passing through the provinces and destined to other parts of the United States may be conveyed in transit through British territory without

payment of duties. The bill declares that upon proof that the privileges secured by this article of the treaty are denied "as to goods, wares and merchandise arriving at the ports of British North America," the President may by proclamation "forbid the exercise of the like privileges as to goods, wares and merchandise arriving at any of the ports of the United States." This would be a direct retaliation for the refusal to permit American fishing vessels to land their "catch" for transportation in bond to its destination in the United States.

This bill, like that of last year and like all the contentions of our State Department and of the Secretary of the Treasury in his recent report on the seizure of American vessels in Canadian ports, is based on the doctrine that under the treaties between the United States and Great Britain and under the reciprocal legislation relating to commercial privileges, our vessels engaged in the deep-sea fisheries and not trespassing within the three-mile limit, have all the rights of trading vessels in the Canada ports when they carry the touch-and-trade permits of our customs authorities. This is the plain and simple position of the United States in the whole controversy, and it can only be assailed by ignoring all agreements and understandings on the subject of commercial privileges which have been entered into since the treaty of 1818. There is a strong probability that the Belmont bill has not been introduced wtihout consultation with the State Department, and it may indicate a possible policy of the Government. If passed, it would only lodge with the President a power which he could exercise according to his judgment of what might be justified by the future course of the Canadian authorities. It may, at least, be taken as a reminder that the United States Government is not likely to recede from its position, and that it may, if pushed far enough, proceed to the logical enforcement of that position in its relations with the provinces of British North America.

THE CANADIAN MINISTER DISCUSSES BELMONT'S BILL.

(The Globe, Ottawa, Canada.)

Ottawa, January 22, 1887.—Hon. George B. Foster, Minister of Marine and Fisheries, returned this evening from a stumping tour through the maritime provinces. He was seen by a Globe reporter regarding the new issue just raised in connection with the fishery question by the steps lately taken in the United States, and which are generally looked on in Canada as very threatening. Mr. Foster said:

Mr. Belmont's resolution and bill, just introduced in the United States Congress, both look toward retaliation. In both, it is taken for granted that the American fishing vessels have a right to trade in Canadian ports. This is just what is denied by the British and Canadian Governments. The treaty of 1818 gave no trading rights to American fishing vessels. They were to fish outside the three-mile limit. They were granted the privilege of entering the ports for shelter, repairs, wood and water, and for no other purpose whatever. That treaty was concluded between the two great contracting parties. It has never been modified or abrogated. The interpretation put upon it from 1818 to the present time by the British colonial and Canadian Governments has been that the American fishing vessels have no trading rights. From 1818 to the present the American Government has never opposed that interpretation. They have acquiesced in the enforcement of the provisions of the treaty against their fisher-

men from 1818 until 1871, when it was interpreted by the negotiation of the Washington treaty, abrogated in 1885. Mr. Belmont, in the introduction of his bill, now interprets the treaty in favor of his own contention and against the common and received interpretation of the treaty from 1818. Upon this it would appear that Mr. Belmont was not in the right. The bill recites that retaliatory measures may be taken when Canada refused to American fishing vessels rights to which such vessels are entitled by treaty or by the law of nations. The Canadian contention is that no rights have been denied to American vessels to which they are entitled by treaty. The President, therefore, if such legislation is enacted, will have to interpret the treaty for himself, which may involve considerable hardship.

Mr. Belmont states that American fishing vessels have been deprived of those alleged rights in a harsh and unjustifiable way. That statement can not be proved by the official records.

"What have the Canadian authorities done?" continued Mr. Foster.

"First. They have simply carried out the imperial and Canadian statute based upon the treaty of 1818, and carried it out in the spirit of its general interpretation, which has been acquiesced in for many years.

"Second. In applying these statutes to American fishing vessels, the Canadian authorities have done so without harshness, asking them simply to obey customs laws, such as all American vessels frequenting Canadian ports are obliged to obey, namely, that they should report on entrance and should clear regularly upon departure.

"Third. They have warned against and prevented trading and transshipment by United States fishing vessels, and during the past year have chiefly contented themselves with this. Only two seizures were made for violation by the Americans of the treaty by purchasing bait.

"Fourth. The Canadian Government has not, in a single instance, refused any fair rights of hospitality, having allowed all reasonable facilities for shelter, repairs, obtaining wood, water, getting medical advice and reasonable supplies for the sustenance of life when their vessels had run out of these and had made proper application for them. All this can be authenticated, and any statements contrary thereto, made by American fishermen, raise a question of veracity between our officers and the fishermen themselves — a condition of affairs the Canadian Government has no fears of seeing properly solved. If Congress wishes to deprive Canadian vessels in kind of privileges denied to American vessels in Canadian ports, it would prevent Canadian fishermen from trading in American ports; but the measure of retaliation aimed at in Mr. Belmont's bill is a wide one, looking toward a complete abrogation of trade between the two countries, a measure which I do not believe the good sense of the American people, represented by their legislatures, will ever sanction. As the whole matter turns upon the interpretation of that treaty, it would seem more in accord with enlightened diplomacy to propose some arrangement to supersede the old treaty by a competent commission. Canada is not now, and never has been, adverse to such an arrangement; the United States Senate and Government have repeatedly refused any steps looking toward such a mode of settlement. It is not true that Canada wishes to coerce the American Government into a reciprocity treaty by the enforcement of her treaty rights. They simply stand by these rights and remain open to any reciprocal advantage as to settlement of the question. In this she has hitherto received, and I believe will continue to receive, the sanction and approval of the British Government."

INTRODUCTION OF SENATE BILL.

(The Daily Star, Ottawa, Ontario, January 24, 1887.)

In order to add force to Mr. Belmont's nonintercourse measure, the Committee on Foreign Relations of the United States Senate has reported on a bill to protect and defend the rights of American trading vessels in the waters and ports of the British dominions in North America. This bill does not go quite so far as Mr. Belmont's. It empowers the President, when he is satisfied that what he considers the rights of American trading vessels are denied by Canadian authorities, to deny vessels, masters and crews from the British dominions of North America, entrance to the waters and ports of the United States and also to deny entrance to Canadian fish or any other product or commodity of the British provinces coming into the United States. It seems strange that the United States Legislature should resort to these extreme measures without first ascertaining what the rights of the United States really are in the premises.

THE DIFFERENCE BETWEEN RETALIATION BILLS.

(Boston Post, January 27, 1887.)

The ready and emphatic approval which the progress of the fisheries retaliation bills meets with at the hands of our people attests the ardor of their patriotism and the earnestness of their feeling that a large measure of liberty in this regard must be secured to American citizens.

We took occasion a few days ago to point out the reasons why some measure of this kind should be passed, and this point is now to be regarded as gained beyond a reasonable doubt. It remains, however, as a question of importance to determine the nature of the measure. Two bills are before Congress, that of Mr. Belmont in the House and that of Senator Edmunds, which has passed the Senate and is awaiting action in the House. The distinctive difference between them lies in the fact that the retaliation contemplated by the Edmunds bill is somewhat more limited than that of Mr. Belmont, pointing more particularly to the prohibition of marine intercourse than of that by land. We regard it as most desirable that the power given should be so broad that, if the policy of retaliation is entered upon, it shall be effective. It is never wise to strike at the king save with a blow that shall kill; and it would be futile and humiliating to harass with petty measures when it lies in our power to act so that it shall at the same time command respect and inspire fear.

There are many reasons why a mere prohibition of maritime intercourse would be child's play. The importation of Canadian fish by water is trifling, and probably fully equaled by the exportation of the same class of goods after pickling or preserving. This volume of business is insignificant as compared with the volume of the Canadian fisheries, and retaliation, if it is to mean nothing more than this, will be little felt and less respected. With the prohibition of Canadian intercourse by land would come a blow far more severe upon our churlish neighbors. Nearly all the surplus of their agricultural production comes to us by land, and prohibition of this would tell with such severity upon the people of

Upper Canada that the maritime provinces would soon lose the moral support of their inland compatriots as against America. This would prove a most important factor in internal Canadian politics and not improbably insure a more pacific tone on the part of the Canadian Ministry.

(Philadelphia Telegraph.)

The power which Congress is proposing to confer upon the President of retaliating upon the Canadians when, in his opinion, unfriendly action on their part toward our fishermen demands positive action on our part, is extraordinary; and many discreet citizens doubt very much whether the legislative branch of the Government, which, according to the Constitution, must take the initiative in declaring war, is justified by the present emergency, or would be justified by any emergency, in delegating to the Executive its war-making power — for that is practically what the enactment of any of the retaliation bills now before Congress amounts to. But be that as it may, the enactment of such measures ought to be clearly recognized as extraordinary, and every effort made to define what the President may or may not do with the direct sanction of Congress. In other words, the occasion is one that demands the clearest possible expressions, and any bill passed by Congress ought to be as free from ambiguities as the best care can make it. The bill reported to the full Committee on Foreign Affairs of the House of Representatives by the subcommittee composed of Messrs. Belmont, Clements and Rice, is understood to be the result of a series of conferences with the President, and to embody his views as well as those of the other conferees. One of the main objects of this conference was to remove ambiguities and to make the bill as clear in expression as possible, and the measure as reported strikes us as about as judicious a one as could be devised, with the single exception that, like the Senate bill relating to the same subject, it seeks to evade taking direct issue with the British responsibilities in the connection. But we regret very much to say that whatever moral force either bill may now have stands a good chance of being dissipated before the close of the session through the squabbles of the politicians in Congress, who are more anxious to make party capital than they are to do the country an honorable service. The Belmont bill was antagonized yesterday by Mr. Reed, of Maine, in a way that was decidedly not to the credit of Reed, who made it only too evident that he did not want any retaliation bill of Democratic origin enacted. This sort of thing is unpatriotic, and if persisted in by the men in Congress who most immediately represent the fishery interest, it will go a long way toward disgusting the people of the country who are not interested in the fisheries, but are very much interested in having good relations maintained between us and our Northern neighbors.

THE SENATE BILL IN THE HOUSE.

(New York Tribune, January 26, 1887.)

It can be asserted on good authority that no disagreement exists, as has been stated in certain quarters, between the President and Secretary Bayard regarding the Edmunds-Frye Retaliation bill or the similar measure pending before the House, introduced by Mr. Belmont. There was no meeting of the Cabinet,

formal or informal, last night, and at the regular Cabinet meeting at noon Mr. Bayard was present and participated in the discussion regarding the Senate bill just passed. It is said that at one time Secretary Bayard regarded these retaliation measures as extra-constitutional, but if he ever held that opinion, he has changed it now, and even if he should still adhere to it, it would have no practical effect, since a measure once become law would not depend for its enforcement upon the interpretation of a Cabinet officer, certainly not so far as its constitutionality is concerned.

The Senate bill having been laid before the House to-day, on motion of Mr. Belmont it was referred to the Committee on Foreign Affairs and leave granted that committee to report at any time. The granting of leave to report at any time required unanimous consent, but there was apparently no disposition on the part of any member to make an objection. It has been frequently held that the right to report at any time carried with it the right of immediate consideration. The bill will have the right of way in the House as soon as it has been passed upon by the committee.

Chairman Belmont says that the bill will probably be considered at the meeting of the House Committee to-morrow. Although the committee was authorized to report the matter back to the House at any time, Mr. Belmont does not believe that it will be ready to report before next week, and intimated that the bill might be amended by the committee before being presented to the House.

(New York Press.)

Ottawa, Ont., Jan. 25, 1887.— The announcement that the United States Senate had unanimously passed the retaliatory resolution against Canada has caused not only much excitement, but considerable uneasiness to the Dominion Government, which fact members of the Cabinet can not fail to conceal. Those Ministers of Sir John McDonald's Government who had expressed an opinion on Belmont's bill and Senator Gorman's resolution, up to last night, considered the whole matter as so much buncombe, but not for one moment believing it would pass either House. Simultaneous with the announcement that the United States Congress means business, it is understood the British Government is urging, and, in fact, insisting, on no oppressive measures being resorted to in enforcing the treaty.

NO ACTION THIS WEEK.

(Boston Post.)

Washington, Feb. 1.— The Edmunds bill was not considered in the Foreign Affairs Committee of the House to-day. Chairman Belmont was absent, and as he had in his possession all the papers and data upon which the committee were to have acted, they were unable to make any progress. Telegrams were sent to him in New York, urging him to return in time to meet the committee on Thursday, but he replied with a telegram to each individual member that it would be impossible to do so, and begging that the whole subject be put over until next week. As the committee can do nothing without the presence of the chairman, under the circumstances it seems that there can be no action taken until next Tuesday. In the meantime, the House is growing impatient and several members have offered resolutions calling upon the committee for an imme-

diate report. It is thought that the bill will lead to discussion of even more vigorous character than it called forth in the Senate. This belief will become a certainty if Mr. Belmont succeeds in tacking his bill on as an amendment to the original measure. Members of the House not directly interested in the fisheries think that the Edmunds bill goes quite far enough as a retaliatory step.

SECRETARY MANNING ON THE FISHERIES QUESTION.

(Boston Daily Advertiser.)

Washington, Feb. 6, 1888.—Secretary Manning has sent to Mr. Perry Belmont, chairman of the House Committee on Foreign Affairs, a long reply to the committee's request for his views of the House and Senate retaliation bills.

The Secretary divides the subject to be considered into two parts: First, the fishing rights of the United States; and, second, the commercial rights of United States vessels in Canadian ports.

The rights of the former, he says, are defined by the treaties of 1783 and 1818, and "we do not ask either of Great Britain or Canada any other rights or liberties of taking, drying or curing fish than those stipulated in such treaties."

[SEE THIS LETTER UNDER FEBRUARY 16, 1887, IN THIS VOLUME.]

(Evening Star, Washington, D. C.)

A Star reporter asked Mr. Belmont, the chairman of the House Foreign Affairs Committee, to-day, what he thought of Secretary Manning's letter with regard to the fishery question.

"Oh, it is very satisfactory, indeed," he replied. "That is the most effectual way to deal with the question."

"Will the resolution be adopted?" asked the reporter.

"Yes; I think so. We intend legislation. We do not propose this change from the Senate resolution for the purpose of heading off legislation, as has been intimated in some publications. We prefer it because it is more clear and positive, and we expect to come to an agreement with the Senate."

The form of resolution proposed in the Secretary's letter is the same as that proposed by Mr. Belmont. A meeting of the committee will be held as soon as the members can be got together. It is expected that the resolution contained in the Secretary's letter will be adopted without change. Mr. Belmont has the privilege, now, of calling the matter up for action in the House at any time, and the disposition is to press it to a conclusion as soon as possible. It is thought that if the Senate is in earnest it will agree to have the nonintercourse proclamation apply to all manner of communication. The railroad and transportation interests which will be affected by the resolution will be exerted, however, to prevent action.

MR. MANNING'S METHOD.

(Washington Post.)

Secretary Manning has settled the question raised by incredulous Republican papers, whether the administration has been earnest in the correspondence of

Mr. Bayard with Great Britain concerning Canada. The Secretary of State had a difficult role. He could not deal with Canada direct, for Canada has no diplomatic existence. She is a colony of Great Britain. Yet, England desired to oblige and protect Canada, so the British foreign office sent Mr. Bayard's complaints and remonstrances to Ottawa, and waited till their return before answering them. This made an awkward, three-cornered controversy, and involved weary months of dallying. His temper was conciliatory, and the delays to which he was subjected must have been trying.

The next step has now been taken, and in taking it Mr. Manning represents not only himself, but the President, Mr. Bayard, and the whole Cabinet. The bill thus submitted quite takes the wind out of the sails of the Senate, for it goes further than the Senate bill, and authorizes the President not only to close our ports but to prohibit Canadian trade over the border. The recent outrages on our fishing fleet are an annulment by England of the arrangements made in 1830 and a substitution of inhospitality for friendship. Of this Mr. Manning says:

"A violation of comity may be looked upon as an unfriendly act, but not a just cause for a war. England may judge for herself of the nature and extent of the comity and courtesy she will show to us. In the present case we do not propose retaliation. We simply respond. We, too, suspend comity and hospitality."

This puts the case plainly, unambiguously. It properly makes the point that an establishment of nonintercourse is not a war measure; but a smile will generally be raised by the Secretary's *naivete* in remarking, "We do not propose retaliation. We merely respond." Professor John L. Sullivan ought to commit that phrase to memory, to repeat in a gentle tone of voice when he next throws forward his sledge-hammer left.

The bill which Mr. Manning proposes is virtually the Belmont bill, and it not merely permits, but directs, the President, under specified provocation, to exclude Canadian vessels and Canadian railroad cars and other vehicles from the jurisdiction of the United States. Mr. Manning speaks most regretfully of the circumstances requiring this "response," and says, in language as ringing as that of his annual message:

"It is much to be regretted that mediaeval tariff laws, like that cruel legacy of war which still incumbers the statute books of the United States, or a mediaeval nonintercourse policy, like that of the Dominion of Canada, approved by the Queen in council on the threshold of Her Majesty's jubilee year, should be the divided disgrace of our common civilization. Both are obstacles to that enlarging freer intercourse among the heirs, by a kindred blood, of one great heritage of social order, language, laws and civil liberty, which is leading here and promoting everywhere, from century to century, the increasing progress of the human race."

But he puts the onus of nonintercourse distinctly upon England, and indicates a hope that the conduct of Canada under the guidance of England will be such as to make it unnecessary to enforce the severe policy thus outlined.

Whether Secretary Manning's bill will be accepted as a substitute for either of the bills now before Congress is not certain at this writing; but one thing is certain, that the Republican papers will no longer allude to President Cleveland and his Cabinet as being indifferent to the outrages inflicted on our sailors by the maritime provinces of the Northeast.

THE SENATE FISHERY DEBATE.

(New York Herald.)

The Herald is always on the side of mercy, and we hasten this morning to cheer up the poor British Lion and urge him not to be too despondent over the "quite-too-awfully-awful" pull which Senators Frye and Ingalls gave to his tail yesterday. Mr. Frye's "impassioned" oratory was intended for the latitude and longitude of Maine, his own dear State; and Mr. Ingalls spoke for the Republican party, which has "viewed with alarm" for a couple of weeks past the firm attitude of the Democratic administration on the fishery business as developed by Secretary Manning's report and by the bills of Mr. Belmont and Mr. Gorman. When Mr. Ingalls began to "let loose the dogs of war," it was only as if he had said, "It will be a cold day when I let the party of great moral ideas get left by the Democrats."

Senator Hoar, with a cooler head, or perhaps a nicer sense of propriety than Senator Ingalls, or probably with a keener fear of making himself ridiculous, thought immediate and bloody war unnecessary. "Let us exclude their fish," he cried out, with that lively eye to the main chance which distinguishes the typical New Englander. That is to say, he would make fish dearer to the whole of our sixty millions of people, and give his own dear New England fishermen a closer monopoly of the supply than they now have, and call that retaliation.

The bill, which we print elsewhere, was passed by an all but unanimous vote, and now goes to the House. We hope the Democrats in the House will insist on incorporating the substance of the Belmont bill with it. They have in this Belmont bill a much more effective measure to bring the Canadians to reason than the Republican device which Mr. Edmunds has shrewdly managed to get first before the Senate. To stop Canadian cars and locomotives from entering United States territory is a real blow, and a logical one. A vessel is no more than a floating car; a car is no more than a land ship. If the Canadians deny rights to our vessels, as they have few or none of their own entering our ports, why is not the Democratic proposition right which strikes back at Canadian railroads, and the more when these roads are largely owned by the Canadian Government?

The Edmunds (Republican) measure is weak and incomplete. To pass it in the House, without adding to it the main provision of the Democrats, will be to make it only half effective. Democrats ought to make this clear to the country, and it might not be amiss for them to show at the same time that while, as Senator Hoar remarked, the present measure gives to his New England friends a close monopoly of the United States fish market, the Democratic measure, which seems unwelcome to the shrewd New England Senators, would strike at the value of Canadian railroads, in which many New England capitalists are interested.

LETTERS BETWEEN GREAT BRITAIN AND THE UNITED STATES.

(Philadelphia Press.)

Washington, Feb. 8, 1888.—The President to-day sent to the House, in answer to the resolution introduced by Mr. Belmont, copies of correspondence which has taken place up to the present time between the Department of State and the Government of Great Britain.

INFORMATION ASKED FOR.

(New York Star.)

The speeches in the Senate on nonintercourse with Canada were rather too emotional, perhaps, but there is in the country passionate indignation because of Canadian treatment of our fishermen, and it may as well come to the front. Meanwhile, Mr. Belmont is moving in the House, in a calm and orderly manner, to gather and exhibit to the country all the material facts. The message sent by the President to Congress on December 8, 1886, brings the correspondence between Mr. Bayard and Mr. Phelps down to November 20, 1886, and between Mr. Bayard and Mr. West down to December 7, 1886. The House, on motion of Mr. Belmont, asked on Monday to be told what has been said or done since those dates. The resolution seems carefully confined to trading and the recent deprivations in Canadian ports of liberties heretofore enjoyed by our fishing vessels to buy or sell or transship cargo.

Has any progress been made at London in negotiations for more satisfactory commercial and navigating arrangements? If the President shall believe that London gives clear indications of yielding on the basis of Mr. Manning's letter, the country should be told of it; and if London will not yield what we ask, Congress should be told of that.

When the House has carefully assembled all the outlying facts, it can calmly and resolutely take up the bill which the Senate has adopted, together with Mr. Belmont's bill, and frame a measure exactly suited to the exigency.

Meanwhile, the President must tell the country what has been going at London.

MR. CLEVELAND SAID TO FAVOR THE HOUSE BILL.

(New York Tribune.)

Washington, Feb. 9, 1888.— It is understood that the House Committee on Foreign Affairs will not be ready to report its recommendations in regard to the retaliation bill until next week. The Senate bill was referred to the House Committee more than two weeks ago and was immediately referred to a subcommittee, of which Mr. Belmont is chairman. So far as can be ascertained, no regular meeting of the subcommittee has been called, although it is understood that the two Democratic members have conferred together. Besides, the written suggestions and advice which they have received from Secretary Manning and Third Assistant Secretary Moore, Chairman Belmont and his Democratic colleague, it is understood, have enjoyed the benefit of several personal consultations with the President and Mr. Bayard, both of whom have been assured that the House Committee is anxious "to do nothing which may embarrass the administration." There is no doubt that the President and Chairman Belmont are in hearty accord, and that the latter will exert all his influence in the committee in favor of the adoption of the so-called Belmont bill, as amended by Mr. Manning. This bill, it is said, the President prefers for the reason that it is more explicit and mandatory in its provisions than the one which passed the Senate by a unanimous vote. It should be added, however, that Mr. Cleveland did not in terms commit himself in favor of any legislation on the subject.

Mr. Rice, of Massachusetts, is the Republican member of the subcommittee, but he does not seem to be possessed of much information in regard to its proceedings. As it is known that he is inclined to favor the Senate bill, it is probable that the Democratic members prefer not to have the harmony of the occasion marred by any arguments or suggestions from him. It is now regarded as almost certain that if Chairman Belmont can find time, and if nothing shall occur in the meantime to prevent such speedy action, he will lay the retaliation bill before his committee as early as next Tuesday and allow its members to discuss it, and perhaps to vote on it. Seventeen days of the session will then remain.

IN FAVOR OF THE FISHERY BILL.

(Associated Press.)

Washington, Feb. 14, 1888.— The subcommittee of the House Committee on Foreign Affairs to-day presented its report on the retaliatory bills to the full committee. The subcommittee recommended the adoption of the Belmont bill, with amendments, as a substitute for the bill passed by the Senate. Both measures propose to confer upon the President discretionary power of proclaiming nonintercourse with the provinces of British North America. In view of the far-reaching consequences of these powers, the committee are impressed with the importance of clearly defining them, so that such nonintercourse as it may be necessary to establish shall be effective and decisive. The subcommittee are of opinion that the Senate bill is not sufficiently explicit in this respect. The committee unhesitatingly report in favor of conferring upon the President the power of proclaiming nonintercourse with the Canadian provinces whenever in his judgment the facts shall warrant him in so doing. And while advised that this Government has made a proposition to the Government of Great Britain looking to a final settlement of the questions in dispute, which is still pending, the committee in consideration of the facts elicited, and with no assurance of a settlement of the disputed questions before the commencement of the coming fishing season, and in view of the near adjournment of Congress, earnestly recommend early and favorable action on the bill which it submits. The bill is substantially the same as has been already published. Mr. Rice made an argument in favor of the adoption of the Senate bill, but the committee adjourned without action.

THE HOUSE PASSES THE BILL.

(New York World.)

Washington, Feb. 23, 1888.— The House Foreign Affairs Committee bill (the Belmont bill) providing for nonintercourse with Canada in case the Canadian authorities see fit to violate the Fisheries Treaty and to oppress American citizens, passed the House to-day, as noted elsewhere, after four hours' discussion, by the overwhelming vote of 292 to 1. (Mr. Dogherty, of Florida, cast the negative vote.) There has been a good deal of gossip about the delay in acting upon this retaliatory measure in the House. It has been said that the administration

really wanted nothing done, and that the delay was for the purpose of producing a failure. The two bills that passed by the Senate and that passed by the House will now go to a conference committee. The Senate bill simply provides for nonintercourse so far as the fish trade is concerned. The House bill goes further and gives the President full authority to suspend all commercial intercourse, even to the stoppage of railroad trains.

Mr. Belmont said this evening that the reports about the administration's not desiring to have anything done were untrue. If he had seen at any time that he could not get the House bill through he would have yielded for the passage of the Senate bill. He will be chairman of the House section of the conference committee. He says there will be an agreement, because the House conferees will take the Senate bill if they can get nothing better. This declaration makes certain that the President will have in his hands full power to bring Canada to terms if she should go on during the present summer as she did last summer. Some such measure as this has been necessary, because the State Department has utterly failed to obtain any satisfaction at London.

CONSULAR AND DIPLOMATIC BILL.

CONFERENCE REPORT.

House of Representatives, March 2, 1887.

[CONTINUED FROM FEBRUARY 15, 1887.]

Mr. BELMONT presented a conference report on the consular and diplomatic appropriation bill, and the report, which was signed by Representatives Perry Belmont, Robert R. Hitt and Wm. R. Cox, managers on the part of the House, and Senators W. B. Allison, Eugene Hale and Jas. B. Beck, managers on the part of the Senate, was read.

The statement of the House conferees was read, as follows:

Statement to accompany conference report on the disagreeing votes of the two houses on the amendments of the Senate to the bill making appropriations for the diplomatic and consular service of the Government, for the fiscal year ending June 30, 1888.

The amendments nonconcurred in reduce the salary of the interpreter to the Legation to Turkey below the amount named in the House bill, which amount was made in accordance with existing law, and add to the Consuls under class 6, Mahe (Seychellez), which was omitted from the House bill on the recommendation of the State Department as being unnecessary.

The amendments concurred in are as follows:

Twenty-four Consuls now paid by fees are appropriated for by fixed salaries, amounting to $45,000. The fees collected by them last year amounted to $82,791, of which they retained under authority of law a sum larger than the salaries established.

An increase of $10,000 is made in the appropriation for clerks at consulates, so as to provide for thirteen additional clerks to be distributed in the discretion of the department.

Appropriations amounting to $16,000 are made for the Haytien and Venezuelan commissions, which were not included in the House bill,

because the Committee on Foreign Affairs had been discharged from their consideration in that connection.

A Secretary of Legation and Consul-General to Corea is provided at $1,500, and the consulate at Antwerp is transferred from class IV to class III. In all other respects the appropriations now reported from conference are precisely the same in amount as those provided for the current fiscal year.

PERRY BELMONT,
WILLIAM R. COX,
ROBERT R. HITT,
Managers on the Part of the House.

Mr. BELMONT.—Mr. Speaker, it is hardly necessary to detain the House with a discussion of this bill. The House will have seen, from a reading of the statement of the House conferees, that they agree, in the main, to the amendments proposed by the Senate, the Senate having perfected the bill, which had been sent to them in a disgraceful condition, owing to the application of the rules. I now ask the previous question on the adoption of the report.

The previous question was ordered, and the report of the committee of conference was adopted.

The bill was signed by the President the following day, March 3, 1887.

(New York Star.)

We heartily congratulate the Department of State, Mr. Belmont, Mr. Beck, and all who have taken part in the good work, on the final passage of Mr. Belmont's consular reform bill in the shape in which it was amended by the Senate, through the restoration of most of the reformatory features that had been stricken out by the House. The effect of this great measure will be felt not only directly through our diplomatic service, but even more strongly through its beneficial operations upon government revenues and legitimate business in American importations and manufactures.

The work of preparing the bill was one of much detail, which Mr. Belmont conducted with remarkable assiduity and intelligence, with the very able aid of Governor Porter and other subordinate officers working under the direction of the Secretary of State.

The Star takes, with reason, its share of the credit for having made the importance of the subject clear to the public, and having discussed it so exhaustively and candidly in all its important bearings that Representatives were awakened to the importance of concurring in the passage of the law without serious impairment of its original rigor.

To the Editor of The New York Star:

Sir.— The diplomatic and consular bill was drawn after many conferences between the officers of the State Department and Mr. Belmont, a careful consideration of a mass of correspondence and the knowledge of the existence of great scandals in the service.

Mr. Belmont, in reporting the measure, said:

"The chief purpose of this bill is to put the consular service of the United States on a salaried basis, to abolish the uncertain and demoralizing system of compensation by fees, and to bring within the control of Congress a large number of important consular positions which are now practically buried from public scrutiny."

The duties committed to Consuls by article 30 of the consular regulations are the most important they have to render, affecting, as they do, the whole revenue derived from the tariff. In consequence of consular remissness in failing to carry out the instructions contained therein, the loss to the Treasury is enormous, and honest importers continually find themselves undersold by those who undervalue and commit other frauds. Consuls are directed to scrutinize each invoice, examine the person presenting it for certification as to its correctness, and when there are appearances of undervaluation, to call for samples and retain them a reasonable time to ascertain their true market value. And when they find a difference between the invoice price and that found to be correct, "to state the difference in the margin for consular corrections."

This instruction is almost a dead letter, and is entirely so with Consuls who are paid by fees. Collectors and appraisers are frequently compelled to permit invoices to be passed and the revenue defrauded because they are ignorant of the latest correct market value in the country from which the goods are exported. There are on file in the State Department many reports showing the fee system to be demoralizing in the extreme. Invoices, refused certification at a salaried consulate, are frequently taken direct to the nearest fee consulate, and there accepted without question, notwithstanding that Consuls are prohibited from accepting invoices coming from outside their district. Some fee Consuls send out circulars soliciting that invoices be brought to them, and in more than one instance they have used their clerk to drum up shippers to obtain patronage. Such scandals will be heard of no more when the officers are all paid by salary, and they are brought under direct control of Congress.

The abolition of fee consulates being one of the most prominent features of the bill, it should commend itself to every person desiring efficient service. One great argument in its favor is that nearly the whole consular service is against the increase in salaries and abolition of fees, leading to the belief that the amount received must be far larger than is generally supposed. The proposed increase of expenditure is $46,000 only, but those who should know are convinced that instead of that amount being added to the cost of the service, the sums turned into the Treasury will show a large surplus. Referring to this view of the question, Mr. Belmont makes the following remarkable statement: "Since the publication of the proposed plan of paying all consular officers by fixed salaries, a number of letters have been received by members of the committee from fee Consuls and others protesting against a change, and numerous other private letters have been received by officers of the Government and members to a similar effect, and have been referred to the committee. These communications have disclosed, for the first time, to the committee and the State Department the

real amount of fees collected by the complaining officers, which in all cases have been found largely in excess of the table of estimated fees which the State Department prepared at the request of the Committee on Foreign Affairs."

In 1867, a person named Phelps, from Massachusetts, was appointed Consul to Prague, Bohemia. He remained until 1885, when he returned to the United States, hoping to be retained in the service by the present administration. Mr. William Huning, an attaché of the Consulate-General at Vienna, was sent to Prague as Vice-Consul in charge. On taking possession of the office he discovered that for many years the invoice numbers had been kept on slips of paper, the dispatch-book was a blank, the fee-book unknown, and, in one word, a state of chaos existed. He also found the consular hours to be from ten to twelve o'clock only, and the clerk, who was paid a small salary, instead of that allowed by the regulations, was a salesman in a drygoods store for the balance of the day.

One of the regulations is that the declaration affixed to invoices shall be made by the owner of the merchandise, or by his attorney in fact, or properly authorized agent. Mr. Huning found that this important instruction had been disobeyed in the most flagrant manner, and that the Consul had permitted his clerk to sign thousands of declarations for shippers, who mailed the invoices, with the fee, postage, etc., to him, when he would complete and return them. It is singular the officers in New York never noticed so many declarations signed by the same name, "Fischer." This is the consulate, with its agency at Reichenberg, at which so many of the undervalued Bohemian glass invoices are "legalized." It required three to four months' hard labor to bring the consulate into proper condition, and great credit is due Mr. Huning for successfully performing the work. With an efficient inspectorship, as provided for by the Belmont bill, such a disgraceful condition of things would be impossible.

REVENUE.

WASHINGTON, *Feb.* 14, 1887.

To the Editor of the New York Star:

Sir.— One of the most valuable features of Mr. Belmont's bill is contained in sections 3 to 9, where authority is given the President to appoint fifty consular clerks. In 1864, the system was first adopted on the recommendation of Secretary Seward, and has been found to work satisfactorily to the department. The number authorized to be appointed by the law of 1864 was thirteen. Consular clerks are under the direct control of the Secretary of State, who assigns them to service at any consulate he may think proper. Consuls do not approve of the system, and there are some reasons for their objections. The appointees, being young men, and usually of some means, are to some extent independent of the Consul under whom they are sent to serve, and occasionally exhibit a spirit of insubordination not consistent with their position. Many complaints have come to the department, and occasionally a Consul has desired their removal. But there is no room to doubt that the system as extended by the proposals now before Congress, with the provisions made for advancing clerks to consulships and a future opened up to them of obtaining a permanent and lucrative profession, they will so govern themselves that complaints will be exceedingly rare. The Secretary of State is directed to appoint only those who have passed an examination satisfactorily, and it may be taken for granted that no improper appointments will be sanctioned by President Cleveland. Mistakes have been made by former administrations, notably by President Grant, who appointed a Creole to Vienna, possessed of considerable means. He imagined he was a far greater

man than the Consul-General, and found the gay capital too much for him, dying there after a couple of years of fast life.

It will be necessary for the Secretary of State to formulate very stringent regulations, particularly regarding the relations of these clerks to the Consuls at whose offices they are assigned for duty. One important qualification should not be overlooked — no clerk should be sent to a foreign country who does not speak its language.

One of the present thirteen was assigned, in November, 1885, to Antwerp. At that consulate it is needful to understand English, French, German and Flemish. The young man spoke English only, consequently was of no service to Colonel Stewart, the Consul, who was compelled to ask for his removal.

There are at present in the service some very efficient clerks, and care should be taken, in the event of the bill passing, when the assignments are made, not to disturb old and faithful officers. One of these may be referred to. Frederick von Wrede is a Texan by birth, an accomplished gentleman, a linguist, speaking four languages fluently and several others fairly well. He is an expert consular officer, now clerk and Deputy Consul at Antwerp. His knowledge of languages is of great value and he is one of the few born Americans holding such an office. The foreigners should first be dispensed with, commencing with those who do not speak English. There are lots of them, and many were never fit to enter the service at all. There are also instances where no clerk is kept, although vouchers are sent to the department for the amount of the salary, and the money collected. Charles Forster, who is the Consul at Elberfeld, Germany, last September informed the State Department that he had removed the consulate from Denreeth strasse to No. 6 Maly strasse. Assistant Secretary Porter had his attention called to the fact that it was not a desirable location for a consulate, and he caused inquiries to be made into the matter, with the following result: Forster, on his arrival at Elberfeld, rented six furnished rooms for his private residence in the Villa Gesenberg, situated on the top of a steep, hilly street overlooking the city, being entirely outside the business section, difficult of access and dangerous to approach in the winter season.

It is to that place he has removed the consulate, and the rent paid for the whole of the rooms occupied is nine hundred marks, or about $210, per annum. The location is described as unsuitable, and a source of complaint from all persons having business to transact at the consulate, the lowest portion of the city having to be traversed to reach it, and the several flights of stone steps ascended, or a long detour made via the railroad depot. The clerk employed is Forster's fourteen-year-old daughter, the salary allowed by the regulations being $640.

Assistant Secretary Porter will no doubt see that justice is done in this case. Forster is the same person regarding whom such a howl went up from the whole German press of the United States, led by the Baltimore Correspondent, which charged him with almost every crime in the Decalogue. This consulate would be a proper one for the assignment of a consular clerk, should it not be abolished, as proposed by the bill, and with a system of consular inspection no Consul would dare to act as described above. Undervaluation frauds have been rampant at this port, and have been exposed time after time. During the presence of an officer of the Treasury Department in Elberfeld, in December, 1885, investigating into alleged frauds in the importations of cutlery. Assistant Secretary Porter sent him a special dispatch, directing that he should inform the Collector of the port of New York and the Secretary of the Treasury whenever invoices were presented for certification by a certain person.

" REVENUE."

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PUBLIC RECORD

OF

PERRY BELMONT

A

MEMBER

OF THE

HOUSE OF REPRESENTATIVES

IN THE

47TH · 48TH · 49TH · 50TH CONGRESS

VOL. IV

EMBRACING RECORD IN 50TH CONGRESS, MISSION TO SPAIN, AND CONCLUDING WITH THE CHICAGO AND INDIANAPOLIS CONVENTIONS OF 1896

PRINTED
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1898

FIFTIETH CONGRESS—FIRST SESSION.

Speaker, JOHN G. CARLISLE.

December 5, 1887, to October 20, 1888.

APPOINTMENTS ON STANDING COMMITTEES.

HOUSE OF REPRESENTATIVES.

The SPEAKER ANNOUNCED THE APPOINTMENTS ON STANDING COMMITTEES:

COMMITTEE ON FOREIGN AFFAIRS.—Messrs. Belmont (Chairman), McCreary, Norwood, Hooker, Russell, of Massachusetts, Rayner, Chipman, Cothran, Ketcham, Phelps, Hitt, Rockwell and Morrow.

COMMITTEE ON EXPENDITURES IN THE STATE DEPARTMENT.—Messrs. Morse, Belmont, Stewart, of Georgia, Lee, Atkinson, Brower and Kerr.

AMENDMENT TO RULES.

December 8, 1887.

Mr. BELMONT SUBMITTED THE FOLLOWING PROPOSED AMENDMENT TO THE RULES, WHICH WAS READ AND REFERRED TO THE COMMITTEE ON RULES, WHEN APPOINTED:

Resolved, That Rule XXIII of the House of Representatives be amended, as follows:

In section 4, line 3, after the words "general appropriation bills," insert as follows: "Bills for the reorganization of or retrenchment of expenditure in any branch of the legislative, executive or judicial departments of the Government," so the entire section, as amended, shall read as follows:

"§ 4. In Committees of the Whole House business on their calendars shall be taken up in regular order, except bills for raising revenue, general appropriation bills, bills for the reorganization of or retrenchment of expenditure in any branch of the legislative, executive or judicial departments of the Government, and bills for the improvement of rivers and harbors, which shall have precedence; and when objection is made to passing over any bill or proposition, the committee shall thereupon rise and report such objection to the House, which shall decide without debate, whether such bill or proposition shall be considered or laid aside for the present; whereupon the committee shall resume its sittings without further order of the House."

(New York Times.)

Washington, Jan. 8, 1888.—A meeting of the Committee on Rules has been called for Tuesday, to take into consideration some of the more pressing of the numerous plans proposed for so modifying the rules of the House as to permit of the proper consideration of public business. As matters now stand, the committees, other than Mr. Randall's Committee on Appropriations, having charge of the preparation of appropriation bills for the respective departments of the Government, are entirely at the mercy of the Randall-Holman combination. Any measure of reform they may seek to introduce in accordance with the recommendation of the proper department is liable to be ruled out of order on an objection that it changes existing law, and is, therefore, in conflict with the rules. These objections are often made apparently from no other motive than a purpose to make the amended rules adopted at the last session, and which were designed to shear Mr. Randall of part of his usurped powers, impossible of enforcement. In this manner proposed changes in the service in connection with the navy, the army, the post-offices and post-roads, and the diplomatic and consular bill, brought before the last Congress, were all ruled out in the House, and the legislation in regard to these important branches of the public service was virtually controlled

by the Senate. All that the House could do was blindly to adopt in conference the Senate amendments. It is desired so to amend the rules as to restore to the House some control over its own appropriations without remanding the whole power back to Mr. Randall's committee. Mr. Mills, the new chairman of the Committee on Ways and Means, and himself a member of the Committee on Rules, it is understood, favors the adoption of an amendment offered by Mr. Belmont, of New York, which gives a right of way to bills for the reorganization of or retrenchment in the expenditures of the several departments of the public service as separate measures under rule 23. It is urged in favor of this amendment that it would not interfere with the current appropriation bill, as the changes proposed could take effect at the commencement of the fiscal year ending next ensuing after the current bills went into effect. Chairman Herbert, of the Naval Affairs, and Blount, of Post-offices and Post-roads, are heartily in favor of this proposition, which has, also, it is stated, received the partial approval of Speaker Carlisle.

[SEE THIS SUBJECT CONTINUED FEBRUARY 19, 1888.]

REORGANIZATION OF THE CONSULAR SERVICE.

January 4, 1888.

Mr. BELMONT INTRODUCED A BILL TO REORGANIZE THE CONSULAR SERVICE OF THE UNITED STATES ON A SALARIED BASIS, TO PROVIDE FOR ADDITIONAL CONSULAR CLERKS, TO REGULATE FEES, AND FOR OTHER PURPOSES.

[SEE PROVISIONS OF BILL SET FORTH BELOW.]

THE CONSULAR BILL.

(The Civil Service Chronicle.)

There can be no question but that prompt action on the part of Congress in reference to the Belmont bill will be of great and immediate service to the growing trade and commerce of our country. This bill, which has been drawn with great care, and after a minute examination and consideration of all points bearing upon the matters, is, in brief, as follows; it provides for

Twenty-two Consuls-General, to act in the most important foreign cities and seaports. Five Vice Consuls-General.

Two hundred and thirty-six Consuls.

Two Vice-Consuls, and

Fifty Consular clerks.

The important features of this bill are, fixed salaries, promotion in office, abolition of fees pertaining to the office, and the increase of consular clerks. It is compact, well digested, and, should it become a law, can be easily worked. Were we to raise an objection it would be on the question of salaries; with the authorized fees subtracted, this act must reduce the income of some of our most serviceable and painstaking Consuls. On the other hand, there is a good feature about it, for it fixes the sum within which the incumbent knows he must live and just how far to gauge his expenses, and, therefore, is not dependent upon the unreliable income of fees. To insure efficiency in the consular corps, the section referring to consular clerks is a most desirable one; for upon the passage of this bill these young men will be sent to different consulates where they will undergo training in the duties pertaining to the same, meanwhile acquiring a knowledge of the language of the country to which they will be accredited as well as reliable information of all the values of goods exported from foreign countries. And in this way the great question of undervaluation which is giving the Treasury Department so much trouble may be more easily settled. For these reasons we trust that this bill will be carefully considered in Congress and become a law as the natural result of such consideration.

(New York Herald, February 24, 1888.)

The House Committee on Foreign Affairs has been considering for some time Congressman Belmont's bill relating to the consular service, and will probably report it favorably. It will be easier, however, to get favorable action in the committee than in the House. The bill increases a great many of the consular salaries, substitutes fixed salaries for fees in many instances, and establishes a number of permanent clerks. The measure has the cordial indorsement of the officials at the State Department in its essential features, and those familiar with our foreign service say it should have been passed long ago.

There is always an element in the House, however, made up in part of city demagogues and in part of members from the backwoods, who see no need of a well-paid consular service. They will probably oppose this measure as they have every similar measure that has been proposed, and in a Presidential year they will be more attentively listened to than at a short session.

The officials of the State Department say that Mr. Belmont's bill would not increase the amount taken from the Treasury by the consular service so much as might appear upon its face. Many of the Consuls are now paid a small salary, and allowed to retain such fees as come into their hands. By the terms of the bill their salaries are increased, but they are compelled to turn all their fees into the Treasury.

There is another feature of the bill which is cordially approved by the Treasury officials who are trying to prevent undervaluations of merchandise. The bill raises certain salaries from $1,000 to $2,000, and prohibits the Consul from engaging in trade. He is now allowed to engage in trade, and as he is often called upon to value goods of the very kind which he is exporting himself, he is easily induced to make valuations so as to establish a profitable precedent for his own exportations. With this temptation removed he would make the proper valuation, and the resulting saving to the Government in import duties might more than pay for the increased cost of the consular service proposed.

OUR UNHAPPY CONSULS.

(New York Evening Post.)

To the Editor of The Evening Post:

Sir.— The editorial article which appeared in The Evening Post of the 17th inst., bearing the title, "Our Unhappy Consuls," kindly accords me credit for good intentions, but suggests that as chairman of the Foreign Affairs Committee, I hardly appreciate the seriousness of the evils to be corrected or the radical measures that must be taken to remove them.

Permit me this brief reply.

As to the seriousness of the evils, I should, indeed, be sorry if, after receiving and carefully considering numberless communications from Consuls during the last two years, after devoting some time to personal investigation of the service, and after availing myself to the full extent

of the sources of information within the control of the State Department, I failed to understand them.

With regard to the remedies to be applied, the difference between the writer in The Evening Post and myself seems to be that I am aiming at something which, perhaps, may be immediately practicable, and he, on the contrary, suggests something for which Congress will not be ready for some years to come.

Let me also add that there are hardly any consular offices in which a Consul appointed by the President and confirmed by the Senate, and paid by fixed salaries, can "make his pile," in the words of the article, no matter how dishonest the intentions of the appointee may be. The *feed* offices in which a dishonest commercial agent or trading Consul can improperly use his position to make money are numerous, but these are not within the control of Congress. It is to break up the system of comparatively irresponsible feed officers, privileged to engage in trade, that I have mainly directed my attention.

Reasonable permanency of tenure in the consular service would be a good thing, and I should earnestly favor it. But, as a matter of fact, while this pernicious feed system is continued it would only perpetuate the evils complained of.

Consular clerks appointed under the present law *are* permanent officers. Instances have not been uncommon where they have been assigned to consulates, and have afterward resumed their rank in the force of consular clerks. In the copy of the bill herewith inclosed, which is to be presented to the consideration of Congress as soon as is possible, under the rules of the House, it will be noticed that it is proposed to largely extend the system of trained consular officers and promotions in the service.

I appreciate so highly the efforts of The Evening Post in the direction of administrative reform that I can not but regret its criticisms on those who are endeavoring to labor in the same cause.

Very sincerely yours,

PERRY BELMONT.

HOUSE OF REPRESENTATIVES, WASHINGTON, *February* 20.

The following are the sections of Mr. Belmont's proposed substitute for House bill No. 1991, relating to consular clerks:

§ 3. That the President be and is hereby authorized to appoint consular clerks, not exceeding fifty in number at any one time, who shall be citizens of the United States, and not less than nineteen years of age at the time of their appointment, and shall respectively be entitled to compensation for their services at the rate of one thousand dollars a year; that the appointment of said clerks

shall be made after due examination in the same manner as clerks of like grade as to salary are examined for service under the laws and regulations governing the civil service commission; that the assignment of said clerks for duty shall be under the direction of the Secretary of State: Provided, however, That not more than four of said clerks shall at any one time be assigned for duty in the Department of State.

§ 4. That the clerks to be appointed under this act may be assigned by the Secretary of State to act as Vice-Consuls at posts where no salary is attached to the vice-consular office: Provided, however, That no clerk under twenty-one years of age shall be eligible to such assignment.

§ 5. That said consular clerks shall, at the expiration of two years from the time of their appointment, and after an examination satisfactory to the Secretary of State, be entitled to receive a salary of one thousand two hundred dollars a year, and shall be eligible to appointment as Consuls at posts where the salary does not exceed two thousand dollars per annum.

§ 6. That at the expiration of five years from the time of their original appointment, the consular clerks authorized by this act, after an examination satisfactory to the Secretary of State, and conformed to the laws and regulations governing the civil service of the United States, shall be entitled to receive a salary of one thousand five hundred dollars per annum, and shall be eligible to appointment as Consuls, without reference to the amount of salary to be received.

§ 7. That those persons who, at the time of the passage of this act, shall be acting as consular clerks under section one thousand seven hundred and four of the Revised Statutes shall remain in office, without diminution of salary, and be counted as part of the fifty consular clerks authorized by this act. Whenever they shall have been in service for two years they shall be entitled to an increase of salary and to appointment as Consuls in like manner and upon the same terms as those who shall serve for two years under the present act; and whenever they shall have been in service for five years they shall be entitled to receive a salary of one thousand five hundred dollars per annum, after passing to the satisfaction of the Secretary of State an examination as provided in section six of this act, and shall be eligible to appointment as provided in said section.

§ 8. That the appointment of a consular clerk to a consulship shall terminate his tenure of the former office: Provided, however, That a consular clerk appointed to a consulship after two years of service shall be required to pass an examination for promotion at the expiration of five years from the time of his appointment as consular clerk in accordance with the provisions of section three of this act, just as if he had retained his clerical office. In case of failure to satisfactorily pass such examination on the first trial, said officer shall, at the expiration of six months from the date of such examination, be entitled to be again examined, and on failure or neglect to pass the said second examination satisfactorily shall be dropped from the service.

§ 9. That whenever, in the reorganization of the consular service, promotion shall be made from a consulate of a lower to one of a higher grade, preference shall be given to those Consuls who have been appointed under the present act.

[THE FOLLOWING IS THE POST EDITORIAL DISCUSSED]

The efforts of Mr. Belmont during the last Congress to improve the consular service, efforts which, we understand, are to be repeated during the present session, entitle anything he may say on the subject to the most respectful atten-

tion. It seems to us, however, judging from his article in the Forum, that the chairman of the Committee on Foreign Affairs hardly appreciates the seriousness of the evils which he aims to correct, or perceives how radical must be any measures able to remove them. Mr. Belmont's chief points are (1) that the salaries paid our representatives, as compared with those of other nations, are inadequate to secure the services of competent men, and (2) that our system of paying a large proportion of the Consuls by fees instead of salaries, as well as permitting those so paid to be engaged in trade, tends to produce a dishonest rivalry between contiguous consulates, in order, by winking at fraudulent invoices, to attract the patronage of shippers, and hence increase the fees. The latter evil might, indeed, be abolished by the means proposed; but increase of salaries, the system of appointment remaining the same, would, it seems to us, only make the places more valuable as spoils, and hence still further diminish fixity of tenure.

We may seem to be advocating a Utopian remedy when we say that the first condition of an honest and efficient service is permanence of tenure; and the second, the adoption of some method by which appointment shall no longer be given to the henchmen or dependent relatives of politicians. These are, indeed, commonplaces of civil service reform, but, from ignorance of the duties of Consuls, the public fails to perceive that while in all other branches of the public service the realization of these principles is *desirable,* in the consular it is *essential.* With ordinary ability and industry, anybody can become a respectable postmaster or department clerk, while it requires unusual faculties and training to make a good Consul. But the main reason is that consular officers have innumerable opportunities to defraud the Government and the mercantile community, which are rarely found in other branches of the civil service. Frauds enough, no doubt, occur in connection with whisky prosecutions, and star routes, and post-traderships; but there is practical security against these in the fact that they are committed almost within sight of the newspapers and the business public, while Consuls act thousands of miles away, and though they may be watched by their official superiors as carefully as circumstances permit, they are almost entirely free from the much more effective scrutiny of the public.

If a man could enter the service with the confidence he would have if in the employ of a private firm that he would keep his place during good behavior, the temptation to ill-conduct of any kind would be more than counterbalanced by fear of detection and consequent dismissal. But our system directly encourages dishonesty, first by appointing men of all degrees of incompetency or inexperience in mercantile affairs, and then by saying to them, in effect: "At the end of four years (more or less) you will be kicked out of your position. Your capacity and devotion to the interests of the Government and of your countrymen individually (if you should display such qualities) will make little difference in your fate. Your honesty (if you are honest) will not keep you in; your rascality (if you start that way or yield to temptation) will hardly be detected and acted upon before the end of that time. Even if you should be dismissed on this account a little sooner than you would otherwise be, your friends would believe it was all 'politics,' so that your future in private life would not be injured. So, you see, by being conscientious you have nothing to gain, and, as you will soon learn, everything (save *self*-respect) to lose."

Now this is a devilishly good argument, even if the newly-appointed Consul were fresh from a divinity school; how much more so if, as is generally the case, the

man has been "on the make" for years or decades before his appointment, and has got the place after a long-continued competitive examination in political unscrupulousness. It used to be said, not by the enemies, but by the friends, of a certain anti-bellum Governor of a Northern State, whose election, owing to accidental circumstances, was held to be of advantage to the party at large, that, being offered at the close of his term his choice between a European legation and an important consulship, he chose the latter, "because he was poor, and needed to lay by something." As the salary was far from large, it is obvious that there must have been large pecuniary advantages incident to the position, or his praiseworthy purpose would have remained unfulfilled. At that period, indeed, the home authorities gave the Consuls a very loose rein; their accounts were passed with little or no examination, and opportunities for illicit gain, if not more numerous, were at least much less exposed to detection than they now are. Cases were known in which Consul's accounts of thousands of dollars per annum were allowed on forged vouchers and receipts of mythical shipwrecked seamen, a speculation which, to-day, owing to improved inspection facilities, might turn out less profitable. But all who have been brought in contact either with ex-Consuls (the honest ones), or with persons engaged in foreign trade, are aware of the practically-innumerable ways in which Consuls still can (and do) cause loss of money and vexation of spirit.

The consular career of a Tilghman or a Badeau occasionally becomes notorious through the newspapers; but purely commercial annoyances require too much explanation to make it worth the while of the press to discuss them. In many cases, too, it is impossible to convict a Consul of a dishonest motive, although the aggrieved party may feel sure that his only object was blackmail. If convicted of error in interpreting the law, the excuse of ignorance, in a person often without experience or training, is very plausible.

In conclusion, we venture to suggest to Mr. Belmont a reform, the operation of which would be so slow that the politicians would have ample time — a generation or more — to get used to it, yet which would eventually purify and immensely improve the service. The law provides for twelve consular clerks, who hold office during good behavior. The supposed object of this provision was to train young men to fill consular offices; but observe how beautifully it works. When a clerk is appointed to a consulate, he loses the benefit of the good-behavior clause, so that, after a few years, he is turned on the world in even worse condition than the political Consul, for the latter may, meantime, have "made his pile," and at any rate can return to that station of life from which the Government saw fit to call him. The clerk's alternative (if he is allowed one) is to remain forever at a salary of $1,200 a year, which is hardly a future to attract a man of conspicuous ability or energy. Our proposal is simply this: That when a consular clerk is promoted to a consulship, and is subsequently removed, he shall resume his former status. The consequence of this would be the gradual increase in the number of consular clerks, until the Government would be enjoying the services of an unnecessarily large number. The public, however, would not permit competent men to be idle in the service, and would insist that a larger proportion of them should be appointed to consulships. And eventually, we think, the reform sentiment would be so strong that appointments of untrained men would be as rare as they now are in the military service, in which the Government schools serve the purpose which the institution of consular clerks was intended to accomplish for the consular.

DEFECTS IN OUR CONSULAR SERVICE.

(The Forum, January, 1888.)

Personal investigation and inspection only make more clear the imperfections in our consular service which have so often been the subject of executive communications to Congress; and Americans abroad are compelled to recognize the fact that, as a whole, with few exceptions, our consular establishments compare unfavorably with those of other countries. There are three chief defects, all susceptible of being remedied by legislation:

1. The American service is underpaid. There are not more than ten consular officers at important posts who receive, in direct salaries, compensation adequate to the duties they are called upon to perform.

2. It is not sufficiently national. A large proportion of our consular representatives are not citizens of the United States, and owe allegiance to the governments of the countries in which they are stationed.

3. It is handicapped in some instances by trading privileges, and in many other instances discredited and demoralized by a system of payment wholly or in part by fees.

Serious as these shortcomings are, they are scarcely to be wondered at when it is considered that our foreign service has, since its inception, received less attention from Congress than any other department of the Government. On the 10th day of February, 1790, George Washington, President of the United States, of his own motion, issued a commission to Samuel Shaw, a Boston tea merchant, empowering him to act as Consul of the United States at the port of Canton, China. He was the first Consul of the Republic. On the 7th of June following, President Washington commissioned John Marsden Pintard, of New York, Consul at Madeira; James Maury, of Virginia, Consul at Liverpool; William Knox, of Massachusetts, Consul at Dublin; Joseph Pennick, of Maryland, Consul at Bordeaux; Burrell Carnes, of Massachusetts, Consul at Nantes; Nathaniel Barrett, of Massachusetts, Consul at Rouen; Sylvanus Bourne, of Massachusetts, Consul at the Island of Hispaniola, and Fulman Skipwith, of Virginia, Consul at the Island of Martinique. With scarcely an exception they were merchants residing and doing business at the ports to which they were accredited. Their compensation was at first left open to private arrangement between the Consuls and those who availed themselves of their services, but in subsequent commissions it was restricted to "such fees or perquisites as should be expressly established by some law of the United States." In 1792, Congress passed an "Act concerning Consuls and Vice-Consuls," which for the first time defined

their duties, empowering them to receive protests and declarations of ship captains, merchants, sailors, etc., to take charge of the effects of Americans dying abroad, to render assistance to shipwrecked vessels, and to receive fees for such services according to a schedule provided. From that time forward the number of Consuls increased from year to year, but no further efforts were made to define their duties or to fix their compensation.

In 1833, President Andrew Jackson directed his Secretary of State, Edward Livingston, to investigate this subject, and to prepare a schedule of regulations for the government of the service. In carrying out these instructions Secretary Livingston made a masterly report, which appears to be but little known, and is not quoted in any of the discussions of this question that have fallen under notice. The following extracts show its tenor:

"The subject of compensation is one that has engaged my close attention since I have had the direction of the department, and I have no hesitation in giving a decided opinion that the exaction of fees has been a source of misunderstandings between our Consuls and the masters of vessels, injurious to the reputation of the country. That it is degrading to the officer who is obliged to wrangle for them, is unequal in its operations, oppressive to our commerce, and ought either to be wholly abolished or so modified as to make the operation of the system more equal. But I cannot avoid expressing the opinion that these officers, like all others, should be compensated by adequate salaries, and should be prevented from engaging in commerce. According to the present system, our Consuls, with very few exceptions, are commission merchants, anxious, like all others, to increase their business and obtain consignments. In many, perhaps in the greater number of cases, the place is sought for chiefly for the advantage and the influence it will give to extend the commercial affairs of this officer. Can it be believed that this official influence will always be properly exercised? When it is, will not contrary suspicions be entertained? This must create jealousy, detraction, and all the arts that rivalship will exercise and provoke, amidst which the dignity of the public officer is degraded and his influence with the foreign functionaries lost. The Consul at least, therefore, if not the Vice-Consul, ought to be a salaried officer. They will never then, by their countrymen, be suspected as acting toward them as their commercial interest, not their duty, requires; and their complaints in behalf of their fellow citizens will be attended to, because they will not be liable to the suspicion of advocating their own interest. Consular offices will no longer be held in counting-houses, nor the Consul himself called from defending the case of an injured American citizen to sell a barrel of sugar, or to dispatch the settlement of an account. All fees paid to public officers are taxes; fees to Consuls are taxes on commerce. Are such taxes, in the state of our finances, necessary? Are they just? Are they equal? Are they easily collected? None of these questions, it is believed, can be answered in the affirmative. They are certainly not necessary; the customs alone produce more than sufficient for the payment of all the expenses of the Government. Why should an extra tax be laid upon commerce, which already bears the whole expense of Government, for the support of a particular set of officers? It is easily conceived that, in the infancy of our Government, when we were burdened with a great amount

of public debt, every available mode of supporting the different institutions of the country should be resorted to, and that, therefore, the examples set by other nations of supporting particular offices by the exaction of fees should be followed; but now, when one uniform mode of collecting revenue yields a product more than sufficient for all the wants of the Government, why should others, liable to so many objections, be continued?"

It is not creditable to Congressional legislation that the criticisms thus made on our consular establishment in 1833 remain largely applicable to-day. When Livingston wrote, the United States had one hundred and fifty-six Consuls, Vice-Consuls, and commercial agents, as set out in a schedule which he appended to his report, all of whom were paid by fees. The only act since passed by Congress which has assumed, in express terms to regulate and organize the consular service of the United States on a salary basis (the act of August 18, 1856), made provision for fewer Consuls than existed in 1833, though, in the meantime, the requirements of the service had greatly increased. It established only one hundred and thirty-two salaried Consulates, forty of them being of the objectionable trading class, receiving salaries ranging from $500 up to $1,000 a year, and having the privilege of continuing to engage in trade. An outward semblance of economy was thus preserved, but the door was left open for the perpetration of the costly and pernicious system of indirect payment by fees, by the following provision:

"Section 4. And be it further enacted, That Consuls-General, Consuls, and commercial agents, not embraced in Schedules B and C, shall be entitled, as compensation for their services, to such fees as they may collect in pursuance of the provisions of this act, respectively."

Under this authority, modified in some degree by a legislative clause injected into the annual Appropriation Bill of 1874, dividing the consulates into seven classes, the consular establishment of the United States is governed to-day. There are seven hundred consular officers of all grades in the service. The Consuls-General, Consuls, and commercial agents appointed by the President, by and with the consent of the Senate, and for whose salaries appropriations are annually made in the same manner as for other officers of the Government, represent less than one-third of the actual working force. The rest are chosen by the State Department, and pay themselves by fees, within certain limitations prescribed by the consular regulations issued by the Department. A large proportion of them are known as "consular agents." These are persons commissioned by the State Department, on the recommendation of the Consuls, to conduct a subordinate office of the main consulate, at some contiguous town. They are paid by the fees they collect in the name of the United States, and the Consul under whom they serve is entitled to retain a percentage of their collections, as his own compensation

for the supervision he is supposed to exercise over them. They are nearly all subjects of the country in which they serve, and engaged in trade on their own account. Our Consul-General in Berlin has recently stated that most of the consular agents in the German Empire are unnecessary. But the system has grown up as an indirect means of raising the compensation of the Consuls proper to something like an adequate level; and to abolish these agencies without increasing the salaries of the main consulates would work injustice to officers whose compensation is already fixed at too low a rate. The United States Consul-General at London reports that of one hundred and sixteen men, constituting the Consular Corps of Great Britain and Ireland, eighty-two are British subjects, and only thirty-four are American citizens.

Our consular service in China, as an entirety, is perhaps better paid than that in any other part of the world. In China, Japan, Siam, Persia, and some other countries, by treaty stipulation, the Consuls-General of the United States and of the leading European powers, exercise high judicial authority, to the extent even, of trying capital offenses committed by their countrymen. Our commercial relations with China are of greater magnitude and importance than those of any European nation except Great Britain; nevertheless the appropriations made by Congress for our Consul-General's office at Shanghai, the most important Consular post in that country, are only half as large as the amounts appropriated by France and Germany, and little more than one-fifth as large as the amount set apart for like purposes by Great Britain. The official figures, taken from the latest publications, are as follows:

UNITED STATES.

Salary of Consul-General	$5,000
All other consular allowances	3,400
Total	$8,400

GREAT BRITAIN.

Salary of Consul-General	$8,000
Other consular allowances	21,350
Judges and officers of consular courts	20,650
Total	$50,000

FRANCE.

Salary of Consul-General	$10,000
Other consular allowances	6,000
Total	$16,000

GERMANY.

Salary of Consul-General	$7,500
Other consular allowances	8,760
Total	$16,260

Comparison between the provision made for the consular service of the United States and that made for the service of the three leading European powers at other important posts, would show even greater discrepancies. Four appointments have been made to one consulate in Central America during President Cleveland's administration, because of the insufficiency of the salary. In a leading city of South America a subscription was recently made by resident British and American merchants to pay the expenses home of the United States Consul and his family, who were unable to maintain themselves on the compensation allowed by law.

While these incidents were taking place, chimerical schemes for the development of our commercial relations with the Central and South American Republics were receiving attention in both Houses of Congress, and the legitimate method of promoting commerce by providing a properly equipped consular service was allowed to languish.

The injurious effects of the system of compensating consular officers by fees cannot be doubted. In the scramble for fees between contiguous consulates, undervaluation of invoices are frequently resorted to as a method of attracting business. The practice puts a premium on dishonesty, both on the part of the exporter and of the consular representative. Unjust preferences are thus given to merchants in one locality, over merchants in another locality, where the consulate is in charge of an office paid by fixed salary. A consular agent of the United States, not an American citizen, has recently been expelled from Russia by the Government of that country, with the concurrence of our State Department, for dishonest commercial practices carried on under cover of his consular authority.

To remedy these evils, Congress should throw aside false pretexts of economy, and make appropriations directly for a sufficient number of adequately salaried Consuls to meet the commercial necessities of the country. This act of justice being done to our Consuls, the unnecessary "consular agents" could be discontinued, to the manifest advantage of the service. This would dispose of the foreign element in our consular system, and to a large extent of the trading element also. There would still remain the class of Consuls known as those of Schedule C, paid by salaries, who are permitted to trade. This class should be abolished. The small salaries paid such officers should be increased, and the

permits to engage in trade should be revoked. There would then only remain the question of fees. The "Tariff of Consular Fees" enumerates one hundred and six different fees which Consuls are entitled to charge for services rendered. Some of these are known as "official" fees, and are turned into the Treasury; others as "unofficial" fees, and are retained by the Consul. A large proportion of the official fees — as, for instance, the tax of $2.50 on every invoice certified — could be dispensed with. They are even less necessary now, with our large Treasury surplus, than they were in Livingston's time, and they are equally a tax on commerce. In the matter of unofficial fees, retained by consular officers, all such as are exacted for the use of the official seal of the United States should be required to be accounted for and covered into the Treasury. A distinction might properly be made in favor of such other acts as a Consul, on account of his official position, but not necessarily as a part of his official duties, is frequently called upon to perform. But all fees directly exacted by him in the name of the United States should be accounted for to the Treasury, and such fees should be reduced to a minimum.

Congress, during its last session, manifested some disposition toward effecting reforms, by placing a number of feed consulates on the salaried lists, and by renewing a proviso of law which required the next year's estimates to include on a salaried basis all consular officers collecting over $1,000 per annum in fees. It is earnestly hoped that during the coming session further improvements will be made in this direction. There is still one important subject which should engage the attention of Congress, and that is the question of fitness for appointment. The most competent consular officers of other nations are appointed after special examinations as to their knowledge of the languages of the countries to which they are to be accredited, and other desirable acquirements. Why should not Congress co-operate with the Executive to secure a higher grade of qualification for our foreign service, by extending the civil service rules to our consular system? As pointed out by Andrew Jackson's Secretary of State, in the report already quoted:

"To a country essentially commercial, like the United States, the consular functions are highly important. They are performed in a foreign country, often in collision with the officers of the nation in which they are placed; and, therefore, public as well as private interests are put in jeopardy by their errors or faults. At home, every officer is surrounded with the means of obtaining information and advice; yet at home every officer has his duties prescribed and marked out by law. Abroad, an officer is intrusted with the most important function, out of the reach of control or advice, and is left with comparatively no written rules for his guidance."

Ascertained special capacity being established as a condition which shall outrank purely political considerations as a qualification for appointment in our home service, how much more necessary it seems that this essential should be insured for the delicate, difficult and responsible duties which our Consuls are called upon to discharge in foreign countries. In 1864, on the recommendation of Secretary Seward, Congress provided for the appointment, after examination, of a limited number of consular clerks, who should possess certain qualifications, and should not be removable except for cause. Their services are made available within the department itself, or in any of its consular offices. A wide range of experience is thus given. It is recommended that the number of consular clerks thus authorized should be largely increased, and that the system should be extended so as to include a plan of graduation and promotion, which would place at the service of the State Department at all times, and through all changes of administration, a trained corps of consular officers, available to fill vacancies or to meet emergencies.

The honor, the good name and the commercial interests of the country are largely involved in a proper disposition of these questions. Public sentiment can be wisely directed to secure their early and intelligent consideration by Congress.

PERRY BELMONT.

INTERNATIONAL EXHIBITION AT MELBOURNE.

House of Representatives, January 18, 1888.

Mr. BELMONT.— I call up for action at this time a joint resolution reported by the Committee on Foreign Affairs — the joint resolution (H. R. 72) relating to the invitation of the British Government to the Government of the United States to participate in the international exhibition at Melbourne to celebrate the founding of New South Wales.

The joint resolution was read; $50,000 being appropriated for carrying out the effect of the resolution; the exhibition beginning August 1, 1888.

On motion of Mr. BELMONT, the House resolved itself into Committee of the Whole to consider the joint resolution.

(Messrs. Morrow, Crain and McAdoo addressed the committee.)

Mr. McADOO offered the following amendment:

Amend line 5, section 1, by striking out the word "fifty" and inserting "five."
Also amend line 8, section 1, by striking out the word "such."
Amend line 9, section 1, by adding after the word "exhibition," the words "by a commissioner appointed by said Secretary."

The section was read, as amended, as follows:

Section 1. That said invitation be accepted and there be, and there hereby is, appropriated out of any money in the Treasury not otherwise appropriated the sum of five thousand dollars, or so much thereof as may be necessary, to effect the purpose of this resolution, to be expended in the discretion of the Secretary of State for the purpose of representation at said exhibition by a commissioner appointed by said Secretary.

Mr. BELMONT.— Mr. Chairman, there does not seem to be an amendment offered by the gentleman from New Jersey which does not look to the acceptance of this invitation. The purpose of the amendment seems to be merely to change the amount fixed in the original resolution, and under which the acceptance of the invitation shall be carried out.

I understand that the gentleman from New Jersey thinks that $5,000 will be sufficient for that purpose. Our past experience in regard to

matters of this kind teaches us that such an amount would be entirely insufficient.

(Mr. McAdoo resumed his address. At its conclusion the committee rose without coming to any decision.)

[DEBATE CONTINUED.]

Mr. BELMONT.— I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the joint resolution which was under consideration yesterday.

The motion was agreed to.

Mr. McADOO.— If I may be permitted, I will say to the chairman of the Committee on Foreign Affairs (Mr. Belmont) that I withdraw my demand of yesterday for tellers, and ask him if he will allow me three minutes to explain further the amendment I have offered.

Mr. BELMONT.— Certainly.

Mr. McADOO.— * * * I understand, Mr. Chairman, that there is now before the Committee on Foreign Affairs an invitation from the Republic of France that the United States join them in celebrating one of the most important events in the annals of history — in the record of the struggles of mankind toward universal Democracy — the fall of the Bastile, and I am surprised, after reading an interview in the newspapers purporting to have been held with the chairman of the Committee on Foreign Affairs, which, if true, does him infinite credit, that a resolution preceding this one relating to the invitation of the British Government should not have been offered to this House that this nation join heartily with our former allies and friends of the French Republic in that, I trust, magnificent celebration of so great an event in the history of the human race in its struggles for liberty against class, caste and feudalism.

Mr. BELMONT.— Will the gentleman from New Jersey permit me to interrupt him for a moment?

Mr. McADOO.— Certainly.

Mr. BELMONT.— I desire to say that the invitation of the French Republic did not precede the invitation now under consideration. I will also say to my friend from New Jersey that I did hold such an interview as he has referred to, and my personal feeling and sympathy in regard to accepting the invitation of the French Government is very great, and I trust that at an early day the House will have a report from the Committee on Foreign Affairs recommending the acceptance of that invitation. I have on my desk at present a bill to present to the House, asking the House to accept it.

Mr. McADOO.— I am glad to know that — and for this reason: It is a fact known to the chairman of the Committee on Foreign Affairs, and to all intelligent newspaper readers in this country, that there has been and is a premeditated effort on the part of the jealous monarchial governments of Europe, whose thrones are menaced by our teachings and example, to bring about a sort of international boycott of this French celebration; and if the greatest Republic in Europe, which has successfully maintained itself against internal conspiracies, dissensions and intrigues, as well as external force and malice, our ancient friend and gallant ally, who supported us in our memorable struggle for liberty with an unselfishness and generosity, I think, unequaled in history — if she is to be left to struggle because of her republican convictions against this interdict, this attempt to suppress her celebration without the generous support of this great Republic, it would be highly discreditable to us as a free and liberty-loving people. I am very glad to hear this morning the statement of the chairman of the Committee on Foreign Affairs.

My only criticism was, Mr. Chairman, that I thought without regard to the time at which these invitations had been received by our Government, that the Committee on Foreign Affairs of the House of Representatives of the American Republic should have cheerfully given precedence to a resolution to join in the celebration of that glorious event in the history of France, in preference to the acceptance of an invitation from the British Government and spending $50,000 to assist in adding to the attractiveness and pleasure of a British colonial exhibit.

Mr. BELMONT.— Will the gentleman permit me to say that the French exhibition is to be held in 1889, and the exhibition which is contemplated in this resolution is to be held this year, in the month of August, and, therefore, it was necessary we should take up the matter without delay.

(Mr. Phelps addressed the committee.)

Mr. CUTCHEON.— Mr. Chairman, I wish to ask a question for information. Can the gentleman in charge of this bill tell us what use is proposed to be made of this $50,000; whether it is to be used to make a Government exhibit, or to assist citizens in making an American exhibit?

Mr. BELMONT.— To assist citizens in making their exhibit and to pay the salaries of the commissioners. It is, of course, impossible to say in advance just how the expenditure will be made in detail, but I have here a statement from the department, which shows how the appropriation for the previous exposition at Melbourne was expended, and

gives a general idea of the manner in which this one will be used. This statement comes from Mr. Rives, and is as follows:

Previous appropriation for exhibition at Melbourne, $28,000; expended for salaries of commissioners, $5,749.99; for traveling expenses, $4,036.97; for clerk hire and salary of secretary, $3,336.55; for contingent expenses, $13,746.85; unexpended balance of $1,129.64 covered into the Treasury.

(Mr. Rayner addressed the committee.)

Mr. CUTCHEON.— * * * I asked the chairman of the committee (Mr. Belmont) a moment ago, or the gentleman from New Jersey (Mr. McAdoo), whether the purpose of the resolution was to enable the Government of the United States to make a Government exhibit or whether it was to enable the Government of the United States to assist citizens of the United States to make an exhibit from this country. The chairman assured me it was the latter; that is, to enable citizens to make an exhibit. The purpose of the resolution, as defined by the preamble itself, is to enable the Government itself to make an exhibit; that is, to participate in the exhibition, and if that be the true purpose of the preamble and resolution, as it seems to me it is, I desire to know from the chairman how the Government of the United States is going to use the $50,000.

Mr. BELMONT.— In order to carry out the object of the resolution, it will be necessary, of course, to appoint commissioners who will superintend the exhibit by citizens of the United States of American products at this international exhibition to be held at Melbourne.

Mr. CUTCHEON.— Is it intended to use this $50,000, or any part of it, to enable citizens to collect exhibits, say, in San Francisco, and transport them to New South Wales for this exhibition at Melbourne?

Mr. BELMONT.— It is true that, whatever is to be done with this sum, as the gentleman will observe, the second section of the bill provides it shall be the duty of the Secretary of State to report to Congress a detailed statement of the expenses incurred. It is almost impossible to say, at present, what the expenses will be, and, therefore, it becomes necessary to provide as has been done in this joint resolution.

Mr. CUTCHEON.— That would be a sort of *post-facto* explanation; but what I ask the gentleman to state now is, what use will be made of the $50,000 if we vote it?

Mr. BELMONT.— Past experience in these matters would answer that question for the gentleman from Michigan.

(Messrs. Crain, Hooker and Kelly addressed the committee.)

Mr. BELMONT asked for a vote on the pending question.

The amendment of Mr. McAdoo was rejected.

Mr. BELMONT.— I now move that the committee rise and report the joint resolution to the House.

The motion was agreed to.

The House passed the joint resolution — yeas, 157; nays, 89.

The resolution passed the Senate, and was signed by the President.

PARIS EXPOSITION.

January 19, 1887.

Mr. BELMONT INTRODUCED THE FOLLOWING JOINT RESOLUTION (H. R. 83) ACCEPTING THE INVITATION OF THE FRENCH REPUBLIC TO TAKE PART IN THE INTERNATIONAL EXPOSITION TO BE HELD IN PARIS IN 1889, WHICH WAS REFERRED TO THE COMMITTEE ON FOREIGN AFFAIRS.

Whereas, The United States have been invited by the Republic of France to take part in an exposition of works of art and the products of manufactures and agriculture of all nations, to be held in Paris, commencing the 5th day of May and closing the 31st day of October, 1889; therefore,

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled:

That said invitation is accepted, and that the Governors of the several States and Territories be and are hereby requested to invite the people of their respective States and Territories to assist in the proper representation of the productions of our industry and of the natural resources of the country, and to take such further measures as may be necessary to secure to their several States and Territories the advantages to be derived from this beneficent undertaking.

§ 2. That the President, by and with the advice and consent of the Senate, shall appoint a commissioner-general to represent the United States in the proposed exposition, and, under the general direction of the Secretary of State, to make all needful rules and regulations in reference to the contributions from this country, and to control the expenditures incident to the proper installation and exhibition thereof, and to the preparation of the reports on the exposition; and that the President may also appoint twenty additional commissioners, no two of whom shall be appointed from any one State, of whom three shall be practical artisan experts, three shall be skilled representatives of commerce and manufactures, and four shall be practical agriculturists, nine shall be scientific experts, corresponding to and specifically assigned to report upon the nine groups into which the exposition will, under the official regulations, be divided, and one shall be assistant commissioner-general, and shall perform the duties of commissioner-general in case

of his death or disability, and shall report upon the exposition at large and the general results thereof; that the said allowance for salary and personal expenses shall not exceed $5,000 for his whole term of office; and the allowance of the nine subcommissioners for salary and personal expenses shall not exceed $1,200 each, not including such clerical service as may be allowed by the commissioner-general, which shall not exceed $15,000; and the Governors of the several States may nominate and the President appoint one honorary commissioner from each of the several States, and the President may appoint twenty-four additional honorary commissioners, among whom there shall be at least one resident of each of the Territories of the United States, which said honorary commissioners may report upon such special subjects as the commissioner-general may direct and shall serve without pay or other expense to the United States: *And provided further*, That in case the authorities of any State or Territory shall appoint a commissioner or commissioners to represent the interests of such State or Territory at said exhibition, said commissioner or commissioners so appointed shall have the same status in the commission as the honorary commissioners provided for herein, but shall not be entitled to either pay or compensation out of the money hereby appropriated: *Provided, always*, That no person appointed by virtue of this resolution shall have any pecuniary interest, directly or indirectly, in any article exhibited for competition, or act as the agent for any exhibitor. And not more than one of the commissioners entitled to compensation nor more than five of the honorary commissioners shall be appointed from any one State or Territory.

§ 3. That the President be authorized in his discretion, to assign one or more of the public vessels to transport to and from France, free of cost, under regulations to be prescribed by the commissioner-general, such articles as may be offered for exhibition by the citizens of the United States.

§ 4. That in order to defray the necessary expenses above authorized, and for the proper installation of the exhibition, and the expenditures of the commissioner-general made under the direction of the Secretary of State, and with his approval, and not otherwise, there be and hereby is appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $200,000, or so much thereof as may be necessary for the purposes herein specified, which sum shall be expended under the direction of the Secretary of State; and out of such amount the Commissioner of Agriculture is hereby authorized to collect and prepare, as far as practicable and with as little delay as possible, suitable specimens of the agricultural productions of the several States and Territories of the Union for exhibition at the Paris exposition.

§ 5. That it shall be the duty of the Secretary of State to transmit to Congress a detailed statement of the expenditures which may have been incurred under the provisions of this resolution, together with all reports called for under section 2 of this resolution, which reports shall be prepared and arranged with a view to concise statement and convenient reference.

[SEE AMENDMENT, DISCUSSION AND PASSAGE OF THIS RESOLUTION, MARCH 1, 1888.]

[COMMITTEE ON FOREIGN AFFAIRS.]

(From the New York World, February 1, 1887.)

Mr. BELMONT, as chairman of the Committee on Foreign Affairs, has reported favorably, and expects to call up for early action, a bill introduced by himself accepting the invitation of the French Republic to the Government of the United States to participate in an international exhibition to be held in Paris in 1889, and appropriating $200,000 for a suitable manifestation by the United States of its interests in the republican institutions and material progress of France. A joint resolution introduced by him accepting an invitation to take part in an exhibition at Melbourne, Australia, this year has already passed the House and awaits action in the Senate.

The operation of the bill authorizing the construction of a bridge across the Arthur Kill, from Staten Island to the New Jersey shore, so important to the interests of the district Mr. Belmont represents and to the development of the commerce of the harbor of New York generally, which he introduced in the last Congress, and which became a law, having been retarded by injunctions and other dilatory actions, and also by unavoidable delays in the War Department, he has presented at this session and expects to pass a bill extending for one year the time within which the bridge is required to be completed.

In three successive Congresses Mr. Belmont has introduced a bill to admit into the United States, free of duty, paintings, sculptures and other works of art, whether the products of American or foreign artists. The difficulty of taking up legislation for tariff reform by piecemeal has heretofore prevented action. In the position which this question now occupies it is reasonably certain that the provisions of his bill will be embodied in any tariff measure which may be reported to the House by the Committee on Ways and Means.

Mr. Belmont is chairman of the Subcommittee on Foreign Affairs having charge of the question of establishing more liberal commercial intercourse between the United States and the Dominion of Canada and other governments on the American continent. He is also chairman of the Subcommittee on the Establishment of an International Maritime Congress to take measures for the prevention of collisions and disasters at sea, and is hopeful of securing some beneficial legislation on both these questions.

Since the appropriations for the diplomatic and consular service of the United States were placed in charge of the Committee on Foreign Affairs, Mr. Belmont

has headed several efforts to reorganize the consular service on a salaried basis, which have been so far successful that both Houses have adopted the principle requiring the annual estimates to be made on this plan. The rules of the House of Representatives precluding changes of existing law in appropriation bills have prevented more than a very partial realization of this needed reform. Mr. Belmont has before the Committee on Rules a proposed amendment to the rules, upon which he hopes to secure a favorable report, which will give to measures of this character the right of way as separate measures without coming in conflict with the annual appropriation bills. He has reintroduced this session, in an amended shape, a well-considered bill of consular reorganization and trusts to have an early day assigned for its consideration.

Bills for the settlement of the vexed Chinese immigration question and other pressing international matters are also before his committee and are under active consideration by subcommittees of which he is a member.

ACTION ON MODIFICATION OF CHINESE TREATIES.

[Despatch to the California Associated Press.]

Washington, Feb. 7.—At last the administration has awakened to the fact that it must assume its share of the responsibility for the nonenforcement of the Chinese Restriction Act, and that it can not longer afford to make Congress the scapegoat for the failure of its attempts to carry into effect legislation tended to exclude the Chinese from this country. The State Department officials are now engaged in the preparation of a draft of a treaty with China and a supplemental agreement with the British authorities who control the port of Hong-Kong, that will absolutely prohibit the landing of Chinese laborers in the United States.

Several weeks ago the Chinese Minister sent a letter to Secretary Bayard, in which he expressed his willingness to enter into negotiations for modifications of the existing treaty. A note was sent in reply to the inquiry of the Secretary of State setting forth the grievances complained of by the people of the Pacific coast. The Minister's note was almost identical in terms with the letter sent by him to Mr. Bayard one year ago when the subject was then broached, but no *bona fide* negotiations were begun.

Representative Belmont, chairman of the House Committee on Foreign Affairs, during the past two weeks, has had several interviews with the President, Secretary Bayard and Second Assistant Secretary Moore in relation to the proposed modification of the treaty. Mr. Belmont informs the correspondent of the California Associated Press that negotiations between the State Department and the Chinese Legation do not mean any cessation of legislative effort to satisfactorily amend the Restriction Act. On the contrary, he says that anti-Chinese legislation will be forced so far as his individual efforts are concerned, and he believes that those of a large majority of the Foreign Affairs Committee, as vigorously as possible, but if the State Department can do readily and speedily what may only be accomplished in Congress after a protracted delay, he thinks it will be wise to give that department an opportunity to act.

More than that, Mr. Belmont says he believes that the President would prefer a final and satisfactory settlement of the question by executive negotiation rather than congressional legislation. The reason for this can be readily seen when it is understood that there is danger of Congress passing bills to abrogate the treaty that the President dislikes to approve. Mr. Belmont says that he will continue to urge upon Secretary Bayard, as he has already urged, the necessity for immediate action on the Chinese question, if action is to be taken at all, and he will not be content with promises, but intends that matters shall be speedily brought to a head. Mr. Bayard is very much engrossed in the fisheries negotiations, but he will probably find time to confer with the Chinese Minister. Mr. Belmont says that he will keep the committee fully abreast of the action of the State Department, and if there are any signs of delay on the part of the department, vigorous legislation will be immediately begun.

[SEE THIS SUBJECT CONTINUED FEBRUARY 9, 1888.]

INTERNATIONAL MARINE CONFERENCE.

February 2, 1888.

Mr. BELMONT INTRODUCED THE FOLLOWING BILL (H. R. 6554) PROVIDING FOR AN INTERNATIONAL MARINE CONFERENCE TO SECURE GREATER SAFETY AT SEA.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

That the President of the United States be and he is hereby authorized and requested to invite the government of each marine nation to send delegates to a marine conference that shall assemble in the city of Washington on the 1st day of October, in the year 1888, or at such other time and place as he may designate, to appoint five delegates, one of whom shall be an officer of the United States Navy and one an official of the Life-Saving Service, to represent the United States at said marine conference, and to fill vacancies in their number.

§ 2. That it shall be the object of said marine conference to revise and amend the "Rule of the Road at Sea," and the "International Code of Flag and Night Signals;" to adopt a uniform system of marine signals, or other means of plainly indicating the direction in which vessels are moving in fog, mist, falling snow and thick weather, and at night; to compare and discuss the various systems employed for the saving of life and property from shipwreck, for reporting, marking and removing dangerous wrecks or obstructions to navigation, for designating vessels, for conveying to mariners and persons interested in shipping warnings of approaching storms, of dangers to navigation, of changes in lights, buoys and other day and night marks, and other important information; and to formulate and submit for ratification to the governments of all maritime nations proper international regulations for the prevention of collisions and other avoidable diasters.

§ 3. That the sum of twenty thousand dollars, or so much thereof as may be necessary, is hereby appropriated out of any funds in the Treasury not otherwise appropriated for the necessary expenses of said marine conference, including the pay and allowances of the representatives of the United States therein, which shall be at the rate of five thousand dollars per annum, and actual necessary expenses of such delegates as are not salaried officers of the United States, and the latter shall be allowed their actual necessary expenses. The Secretary of the Navy is hereby authorized to provide the conference with such facilities as may be deemed necessary.

§ 4. That it shall be the duty of the Secretary of State to transmit to Congress a detailed statement of the expenditures incurred under the provisions of this bill.

REPORT ON THE INTERNATIONAL MARINE CONFERENCE BILL.

February 9, 1888.

Mr. BELMONT SUBMITTED THE FOLLOWING REPORT, FROM THE COMMITTEE ON FOREIGN AFFAIRS, TO WHOM WAS REFERRED THE BILL (H. R. 6554) TO PROVIDE FOR AN INTERNATIONAL MARINE CONFERENCE:

The objects sought to be attained by the proposed conference are of the greatest importance for the protection of commerce and the safety of human life. They are —

(1) To lessen the dangers of collisions at sea in fogs or heavy weather by adopting some more effective system of signaling, so as to indicate the direction in which vessels are steering.

(2) To revise the international code of flag-signals to meet the advancements in navigation.

(3) To consider and adopt the best life-saving systems and means for securing the safety of life and property at sea, and

(4) The employment of national vessels for the removal of dangerous wrecks from the pathway of vessels.

The sea being free to all nations, effective measures can be adopted in common only through international conference.

Numberless disasters at sea in foggy weather sufficiently attest the fact that the international "rule of the road" now in force is inadequate, especially in regard to steamships. They are now required to give in fogs a prolonged blast of the steam whistle every two minutes. This indicates their proximity, but gives no clew to the direction in which either vessel is steering. Moreover, two steamers, a mile apart and moving at half speed, could meet within the two minutes' interval provided by the signals. This was clearly shown in the recent collision of the steamships Britannic and Celtic, belonging to the same line, and sailing under the same general instructions. It was demonstrated that the Britannic could have only given the same signal to port as is now the standing signal to be given under all circumstances in foggy weather. The naval court which investigated that disaster emphatically condemned as insufficient the present system of signaling in fogs, and recommended the adoption of some more effective plan.

The fog-signals of sailing vessels are equally inadequate. Three blasts of the fog-horn now indicate that the ship has the wind "abaft the beam." This is as likely to mislead as to guide, as it covers nearly half the points of the compass almost diametrically opposed to each other. Modern inventive genius will not be slow to suggest some better mode of signaling and some code to indicate the direction in which each vessel is steering, but the general adoption of this new code by maritime nations can only be brought about by an international conference.

The present international code of flag-signals was framed in 1856, before fast steamers had become common, and before the development of the rapid telegraphic cipher codes now in use. Two of our modern ocean steamers would be out of sight of each other before half a sentence could be spelled out by the slow and antiquated code now employed. New geographical names have come into common use which are not included in the system. A revision of the code so as to give greater simplicity, comprehensiveness and rapidity of communication is most essential.

There are other important matters affecting navigation which might properly be brought before an international conference such as is proposed. The United States has been foremost in using the Navy and Revenue Marine, not only in cruising for the relief of distressed mariners during stormy seasons, but in employing naval officers through the hydrographic service to impart valuable information to the commercial marine. The signal service, warning mariners of approaching storms, and the life-saving service, rescuing the shipwrecked and aiding to save property, are probably nowhere more efficient than on our coast. The methods of various countries in these respects are diverse. Without attempting to make them uniform, it is thought that an authoritative discussion of them would result in a more general adoption of the best features of each system. This would benefit all interested in the safety of navigation, whether as merchants, mariners, underwriters or travelers.

The general purposes of the proposed conference have the approval of the United States Navy Department and the merchants' exchanges, boards of trade, chambers of commerce, maritime exchanges, and other commercial bodies in all the leading seaports of the country, and also in all the principal cities bordering on the great lakes. The subject is commended to the favorable consideration of Congress by the President in an executive message, which accompanies this report.

Your committee report back with amendments the bill referred to them and earnestly recommend its passage.

[SEE THIS SUBJECT DEBATED, MAY 24, 1888.]

FAULTY RULES OF THE HOUSE.

(Washington Herald, February 19, 1888.)

Mr. Belmont, chairman of the Committee on Foreign Affairs, stated yesterday to a representative of The Sunday Herald, as the unanimous sentiment of the committee, that the adjournment of the House from Friday until Monday, when yesterday was specially assigned to the committee, had caused what might prove a most unfortunate delay in matters of national importance, and this was the more to be regretted as the delay had occurred through a contest in the House over private claims, and the whole of next week was to be devoted to the consideration of bills for public buildings.

One of the measures which was to have been considered yesterday under the special order of the House was the acceptance of the invitation of the French Republic to participate in the Paris Exposition. Another matter was legislation to protect submarine cables. This, he said, is called for by an international convention entered into by the United States. It involved no appropriation of money, but simply a legislative enactment providing, in concert with all other civilized nations, for the protection of ocean cables. The United States had bound itself by treaty to enact such legislation, and the text of the law adopted should be filed in Paris on or before the 13th of March next, when the proclamation of the convention is to be made. It now seems highly probable that the treaty will be put into operation with the United States excluded from its provisions, because of its failure to pass the necessary legislation within the stipulated time.

Mr. Belmont added that this is a fair illustration of the difficulty, so little understood outside of Congress, of obtaining consideration for important legislation under the present rules of the House. Here, he said, is a perfectly harmonious committee, which has advanced its business further on the calendar up to the present time than any other, which has reported every bill for which it has asked consideration; the disposition of the House was known to be favorable to their passage, but the pressure of private claims and bills of appropriation for public buildings was such that public business could thus under the rules be practically laid aside for the next ten days.

[SEE BILL INTRODUCED TO AMEND THE RULES DECEMBER, 1887.]

PROTECTION OF SUBMARINE CABLES.

(New York Evening World, February 25, 1888.)

A few days ago Congressman Belmont, in a newspaper interview, deplored the disposition of the House to devote so much time to private bills to the sacrifice of matters of public importance. Probably his suggestions had some weight with the House, for he succeeded to-day in passing, although it was private bill day, the Senate bill to carry into effect the convention of March 14, 1884, for the protection of submarine cables. The United States is the last of twenty-seven civilized nations to give its assent to this convention's work, and it came very near being shut out, as the official notification must be filed in Paris by March 15th. If the President signs the bill promptly that can be done.

THE PROPOSED TREATIES WITH CHINA AND GREAT BRITAIN.

(New York Herald, February 9, 1888.)

A reporter obtained to-day from Mr. Belmont, chairman of the Committee on Foreign Relations, an important statement with regard to the Chinese question, and also as to the pending treaty with Great Britain.

In reply to the questions of the reporter Mr. Belmont said he felt he could properly state that negotiations had been pending for some time for an amicable settlement of the Chinese question; they had been suspended during the summer in consequence of the absence of the Chinese Minister, but had now been resumed and were reaching completion.

He understood, in fact, that a draft of the proposed treaty had been transmitted to the Chinese Minister to-day, containing such modifications of existing treaties as would bring about the complete exclusion of that class of emigrants to which the people of the Western coast objected. It was only just to the Chinese Government to say that there was no disposition on their part to stand in the way of such an agreement, and he believed there was a strong prospect that within a month we would have a treaty which would effectually dispose of the question. It would, of course, be necessary for Congress to enact legislation to

carry out the purpose of such a treaty, and, therefore, it was desirable that the bills now pending before the House should not be hastily acted upon. If there should be a failure of negotiations, which did not seem likely, Congress would be informed in ample time to pass independent legislation. Mr. Belmont further said that any treaty arrangement with China to prevent Chinese immigration would, of course, have to be supplemented by some stringent legislation, and, perhaps, even by some treaty stipulations with Great Britain to suppress the introduction of Chinese coolie labor by way of Hong-Kong and Vancouver, by which our present restrictive laws were largely avoided. It was understood there would be no difficulty on this score.

NO CITIZENS TO BE GIVEN UP.

Speaking of the pending treaty with Great Britain, Mr. Belmont said as the matter had been so widely discussed through the papers he thought it only just to the administration that it should be known that no clause permitting the extradition of a citizen of the United States for any political offense was included in the treaty sent to the Senate.

If there was any such provision now under consideration, it must have been inserted as an amendment in the Senate. He declared emphatically that there was no clause in the treaty as submitted to the Senate which surrenders any right which this Government has always upheld, nor was there any provision which could be construed as permitting a surrender on account of political offenses.

[SEE BILL DISCUSSED APRIL 18, 1888.]

(The Critic, Washington, D. C., February 10, 1888.)

There is a disposition to assign to Senator Riddleberger a connection with the Sherman boom somewhat analogous to Dr. Burchard's relation to the Blaine campaign.

The developments of the British extradition treaty dispute in the Senate afford the topic for the liveliest political gossip.

Senator Riddleberger has succeeded in making it very apparent that the Senate Foreign Relations Committee, under the leadership of Mr. Sherman, proposed an amendment which Mr. Riddleberger regarded as a blow at Irish-American sympathy, and a servile concession to British tyranny and relinquishment of the right heretofore maintained by this Government of affording protection to political offenders and refugees.

Mr. Riddleberger has made it appear that unusual methods were necessary to arouse public sentiment to defeat this contemplated secret session action.

Mr. Belmont, as a representative of the administration, has come forward with a prompt disclaimer of responsibility, and the weight of this rumored anti-Irish amendment has been placed squarely on Mr. Sherman's shoulders.

SPEECH ON PARIS EXPOSITION OF 1889.

March 1, 1888.

[CONTINUED FROM JANUARY 19, 1888.]

Mr. ROBERTSON moved that the House resolve itself into Committee of the Whole to consider general appropriation bills.

Mr. BELMONT.— I raise the question of consideration against that motion. This day has been set apart by special assignment for the consideration of bills reported by the Committee on Foreign Affairs. Already twice that committee has lost the assignment made it, and I leave it to members to decide whether the committee should again be deprived of the privilege of bringing before the House several important measures. I, therefore, raise the question of consideration against the Committee on Appropriations.

Mr. DINGLEY.— I desire to suggest to the gentleman from Louisiana that the appropriation bill can be called up on any day, and this day has been set apart for the Committee on Foreign Affairs. I think, in justice to that committee, they should have it.

Mr. ROBERTSON.— I understand that, sir, and I do not desire to do injustice to that committee, but the Committee on Military Affairs reported the bill making appropriations for the support of the Military Academy more than two weeks ago, and up to this time, notwithstanding that I have been urged by the Committee on Military Affairs to bring up that bill, I have given way to every other question before the House. This is a bill to which, I am sure, there can be no opposition. If we are permitted to proceed, we can consider and dispose of it in less than half an hour.

Mr. BELMONT.— The Committee on Foreign Affairs prepared its appropriation bill even before the one which the gentleman now asks the House to consider. Although we have been ready for two or three weeks with the diplomatic and consular appropriation bill, we have not interfered with the regular or more urgent business of the House, and we do not desire to bring that bill before the House until an opportunity,

which will probably occur next week, at a time for which no special orders have been assigned. The special order for to-day, however, is one to which the Committee on Foreign Affairs hold with great insistence. The matter is one in which our relations with other governments are concerned, and it does seem to me reasonable that members on both sides of the House will sustain the committee upon its rights.

Mr. Robertson withdrew his motion.

PARIS EXPOSITION.

Mr. BELMONT.—I now move to proceed with the special order. I call up the joint resolution H. R. 83, and as it carried with it an appropriation, I move that the House resolve itself into Committee of the Whole for the purpose of considering the joint resolution.

The motion was agreed to, Mr. Hatch taking the chair.

The Chairman directed the Clerk to read the resolution as reported.

(See the resolution in full, as introduced by Mr. Belmont, January 19th.)

The Committee on Foreign Affairs recommended the following amendments:

Section 2, line 7, strike out the words "and to," and add after the word "thereof" the following, "the pay of jurors and."

Line 9, after the word "exposition," insert the following: "and the general results thereof, and an assistant commissioner-general, who shall perform the duties of commissioner-general in case of his death or disability."

Line 12, strike out "twenty additional" and insert in lieu thereof "nine sub."

Line 13, strike out all after the word "commissioners," in line 13, down to and including the word "nine," in line 16. After the word "nine," in line 16, insert "and said subcommissioners."

Line 18, strike out the words "report upon."

Strike out the whole of lines 20, 21 and 22, and 23 down to and including the word "thereof."

Line 26, after the word "office," insert "that the allowance of said assistant commissioner-general for salary and personal expenses shall not exceed $2,500 for his term of office."

Line 29, strike out the words "twenty additional" and insert "nine sub."

Line 34, strike out "two" and insert "one."

Line 35, strike out "and."

Strike out the whole of lines 36 and 37, and line 38 down to and including the word "States," and insert "and the President may appoint one honorary commissioner from each of the several Territories."

Strike out the proviso beginning in line 43, down to and including the word "appropriate," in line 51.

Lines 54, 55, 56 and 57, strike out the following: "and not more than one of the commissioners entitled to compensation shall be appointed from one State or Territory."

Mr. BELMONT.— I now ask the Clerk to read the portion of the report which I have marked.

The Clerk read as follows:

The Committee on Foreign Affairs, to whom was referred a message from the President of the United States (Executive Document No. 69), transmitting a report from the Secretary of State relating to an invitation from the Government of France to participate in the international exhibition to be held in Paris in 1889, and also a joint resolution (H. R. 83), respectfully report thereon as follows:

On the 6th of April last, shortly after the close of the Forty-ninth Congress, the Government of the French Republic, through its legation in Washington, formally asked the co-operation of this Government in the celebration of a world's exhibition, to be opened in Paris on the 5th of May, 1889. The general purposes of this exhibition are such as should enlist the earnest sympathy of the United States. Its primary object is to receive the works of art and the productions of the industry and agriculture of all nations. The exhibition is to be divided into nine groups:

1. Works of art.
2. Education, and processes used therein.
3. Plain and decorative house furniture.
4. Textile fabrics.
5. The raw and manufactured products of mining, forestry, chemistry, etc.
6. Apparatus and methods of mechanical industries.
7. Food products.
8. Agriculture, vine culture and fish culture.
9. Horticulture.

In nearly all these branches of industry it is believed that the United States has made great progress since its participation in the world's exposition, held in Paris in 1878. If no other considerations presented themselves it would, therefore, be desirable, for the advancement of the commercial interests of the United States, that the invitation thus extended by the French Republic should be accepted. But there are other reasons which can properly be regarded by the Congress of the United States. This nation can not forget its obligations to France for the assistance rendered in its early struggles for freedom. On many occasions since, notable in the presentation by the French people of the statue of Liberty which now adorns New York harbor, the sympathy and good-will of the French nation toward the United States and its Government have been manifested.

The people of the United States have watched with gratification the firmness of purpose and self-control with which the French nation has maintained and increased its hold upon republican institutions in recent times of menace and peril. The year 1889 will be the centennial of events in France which gave impetus to the establishment of republican institutions throughout the world. It is clearly the duty of the Congress of the United States to promptly take action upon the invitation extended, and thus to proclaim in the most emphatic manner its approval of this important project. Your committee, therefore, recommend that the invitation of the Government of France to participate in the international exhibition to be held in Paris in 1889, transmitted to Congress by the President of the United States in his message of the 12th instant, hereto annexed, be accepted, and in order that such acceptance may be carried out in a becoming manner they further recommend the passage of the accompanying joint resolution as amended.

Mr. BELMONT.— Mr. Chairman, it is not necessary to remind Americans of our lasting debt of gratitude to Frenchmen growing out of the struggles of the Revolution and the war of independence, and it is always a pleasing duty for Congress to recall such memories. But it is especially to the France of to-day the United States wishes to do honor. We who can enjoy undisturbed all the blessings of our form of government should best appreciate the immense difficulties standing in the way of French statesmen who hold republican opinions. Stronger than the Holy Alliance of the beginning of the century, stronger than the Triple Alliance of to-day is the league of monarchs and of royalty in Europe against successful republicanism in France, and yet the French Republic has triumphed and will continue to triumph over hostile intrigues from within and insidious attacks from without. We in the United States have watched recent events in France with a respect and admiration which this invitation of the French Government now gives us an opportunity to express.

The hundredth anniversary of the year 1789 has been well chosen for the holding of a world's fair in Paris, a year as significant to the people of the United States as to the people of France. If there is what might be termed a reactionary league in Europe, may there not also be a progressive league of the republics of the world? If this invitation of the French Government has been officially neglected by some governments, the exposition itself will include exhibits from the people of every country in Europe, and the invitation has been officially accepted with the greatest cordiality by Switzerland and all the republics of Central and South America, and is now placed before the Congress of the United States for official action as promptly as the rules of the House will permit.

The report of the Committee on Foreign Affairs is a unanimous report, and I feel sure that a generous response to the French Government will meet the hearty approval of every member on this floor, for here resides that spirit of true Americanism which can always be moved in sympathy with republics and republicans throughout the world.

As to the details of the bill, the committee has endeavored to profit by the experience of the last exhibition in Paris. The report of the commissioner discloses the fact that an appropriation of $200,000 is none too much. Congress in 1878 appropriated $150,000, although the recommendation of the department at that time was for $225,000. Shortly after the arrival of our commissioner in Paris it became necessary for him to send a report to the department urging that Congress, in order to carry out the purposes of its first resolution, appropriate in

addition $40,000. The appropriation made, therefore, for the exhibition in 1878 was $190,000. In this instance we ask that it be made $200,000. We do not wish that there should be a repetition of the unfortunate deficit which occurred on the former occasion. In order to satisfy the House as to the necessity of the amount now asked, I will call attention to the items of expenditures as reported by the commissioner in 1878:

Salary of commissioner-general	$5,000 00
Expenses of commissioner-general's offices in Washington, New York and Paris	17,417 52
Compensation of additional commissioners	15,600 00
Clerks to additional commissioners and incidental expenses	6,931 33
Art gallery	11,514 74
Agricultural division	6,418 69
Educational division	5,972 17
Machinery division	7,061 53
Industrial division	8,574 81
Construction of buildings	33,602 49
Loading and unloading Government ships	6,034 20
Transportation by mail steamers and by railway in France	15,842 75
Stationery and printing	4,379 24
Advertising	1,548 45
Miscellaneous expenses in Washington, New York and Paris	14,102 08
Expended by State Department for agricultural exhibits and additional commissioners	19,102 08
Total	$179,400 00

Leaving less than $11,000 available for printing of reports, etc.

In this resolution the proposed appropriation is made the larger because it is intended that the jurors at the exhibition shall receive salaries. In the exhibition of 1878 the jurors on the part of the United States served without compensation, a course which was attended with certain objections set forth in the report of the commissioner, and which I think it important for the House to consider:

PAYMENT OF JURORS.

It is a serious mistake, in my judgment, to ask jurors to serve without compensation. Occasionally wealthy men of leisure are willing to undertake the responsibilities in a spirit of patriotism, or from special interest, but the average citizen can not afford to give the necessary time and attention without compensation at least sufficient to meet his expenses, which, in any great city during an exposition season, form no inconsiderable item. At the Centennial Exposition, jurors were paid $600 each, and foreign jurors $1,000 each. It was money well invested, inasmuch as its payment warranted the jurors in giving proper consideration to the work to which they were invited.

Another serious objection to the nonpayment of jurors is that they are often led to seek recognition in a way which must, to a greater or less degree, influence their judgment, however conscientious they may be. For instance, giving as an excuse that they performed valuable and even delicate and tedious labor, at much personal inconvenience and at their own expense, more than half of the American jurors became active applicants and in several instances earnest applicants for the decoration of the Legion of Honor.

It is my opinion that the best men to make reports upon an exposition are the jurors. Avenues of information are freely opened to them which it is difficult and even impossible for commissioners to enter. Exhibitors, in the hope of recognition, expect to furnish details to jurors, and are ready and willing to answer all inquiries put by them.

After the exhibition of such facts as these it seems to me the House will not hesitate in the matter of appropriation; and with this presentation I will reserve the remainder of my time, and yield the floor to my colleague on the committee, the gentleman from Kentucky (Mr. McCreary).

(Messrs. McCreary, Hitt and Adams addressed the House.)

Mr. ADAMS offered the following amendment:

"And the Commissioner of Agriculture is also authorized to prepare for gratuitous distribution at said Paris Exposition a concise statement descriptive of swine-raising in the United States and the methods used in this country for preparing pork for export, together with such information as he may possess as to the relative wholesomeness of pork raised in the United States and in other countries; and the said Commissioner of Agriculture, under the direction of the Secretary of State, is further directed and authorized to secure, if possible, as a part of said Paris Exposition, a competitive inspection of pork raised in the United States and in different countries of Europe, with the view of determining the relative wholesomeness of the pork products in the United States and of Europe; and for the purposes indicated in this paragraph, an additional sum of $25,000, or so much thereof as may be necessary, is hereby appropriated out of any money in the Treasury not otherwise appropriated."

* * * * * * *

Mr. BELMONT.— Mr. Chairman, I trust the Committee of the Whole will see fit to accept the amendment proposed by the gentleman from Illinois (Mr. Adams). But I feel it incumbent upon me to call the attention of that gentleman and the House to the fact that our Minister to France has been active in making representations to that Government in behalf of the interest of which the gentleman speaks.

Mr. ADAMS.— Since when?

Mr. BELMONT.— During his term of office.

Mr. ADAMS.— What is his last public statement that is accessible?

Mr. BELMONT.— The gentleman will be able to obtain the information in the Department of State; and he will also find that during a

series of years the French Government has had cause to complain of our legislation —

Mr. ADAMS.— What cause?

Mr. BELMONT.— And I trust the House, when it considers the question of the tariff, will remove the subject of complaint to which I refer. I mean to say that there is upon our statute book a most barbarous and foolish provision in regard to works of art, a provision of which not only the Government of France but the Government of Italy has cause to complain. Representations from these foreign governments to our own have been made for a series of years. But I think this a good opportunity to state in behalf of the House that this legislation was the result of the conference between the House and the Senate in 1883.

Mr. ADAMS.— What legislation does the gentleman mean?

Mr. BELMONT.— The increase of the duty on works of art from ten per cent. to thirty per cent. was in reality the work of the Senate Committee of Conference; and the Senate must be held responsible for what is universally conceded to be a most barbarous and unfortunate provision in our tariff laws.

All this, I admit, is not germane to the present discussion; but I refer to it only in answer to what the gentleman from Illinois has said in regard to another product, and while I trust the gentleman's amendment will be adopted, I hope the House, when the tariff discussion comes up, will not forget the subject to which I have referred. I am gratified to know that in the tariff bill which to-day has been made public by the Committee on Ways and Means works of art are placed upon the free list.

I now ask that the general debate terminate, and that this resolution be laid aside with a favorable recommendation.

(Messrs. Hooker and Cannon addressed the House.)

At the conclusion of the addresses, the amendments of the committee were agreed to.

The amendment of Mr. Adams was also adopted.

The joint resolution as amended, was reported to the House, and passed.

[SEE CONFERENCE REPORT, MAY 3, 1888.]

ARBITRATION.

May 1, 1888.

Mr. BELMONT.— The next bill to be called up is the bill (H. R. 1473) in regard to which I ask unanimous consent to make a statement.

The title of the bill was read, as follows:

A BILL authorizing the President of the United States to arrange a conference for the purpose of promoting arbitration and encouraging reciprocal relations between the United States of America and the Republics of Mexico, Central and South America, and the Empire of Brazil.

Mr. BELMONT.— This bill is in charge of my colleague on the committee, the gentleman from Kentucky (Mr. McCreary). I desire to say to the House that when the measure was under consideration in the Forty-ninth Congress I opposed it in the House. I hope, however, that the bill will now pass, because I think the time is opportune for this Government to show its friendly disposition to our neighbors to the south of us. There are good political reasons for which the United States should at present adopt such a policy, and, moreover, it is opportune, it seems to me, for us to pass this bill now, because there is during the present Congress a better prospect of a general tariff revision, that being the first necessary step for the establishment and extension of foreign markets, which is also the main purpose of this bill. I now yield to my colleague on the committee who has charge of the bill.

(At the conclusion of addresses by Mr. McCreary and others, the bill was passed.)

On the same day, Mr. Belmont reported back from the committee the resolution of Mr. Baker, of Illinois, that a national vessel of war convey to Venezuela, together with the commission which had arrived from that country, the remains of General José Antonia Paez, who died in New York in 1873, and was the first President of the Republic of Venezuela.

The resolution was passed.

ST. PATRICK'S CLUB DINNER.

(New York Times, March 18, 1888.)

The fifth annual observance of the festival of St. Patrick was held at the Hoffman House by the St. Patrick's Club with that social *eclat* for which the organization has distinguished itself since its first dinner.

Ex-Civil Justice John Henry McCarthy, its president, had the honor of conducting the affair. He was supported by C. C. Shayne, Hon. John R. Brady, Hon. Leon Abbett, Hon. James C. Spencer, Clark Bell, Coroner Ferdinand Levy and Humorist Marshal P. Wilder. The three cross tables were presided over by D. M. Brown, John Delehanty and B. T. Kearns, respectively.

Edward P. Farrell, H. Herrmann, John Newton, Bryan O'Hara, James Campbell, the Poet Geoghegan, Edward Sheehey, John Duane, Jr., Thomas F. Byrnes, James J. Coogan, John J. Ryan, M. L. Doyle, Thomas Sheils, M. Ackerman, Edmund Fitzgerald, P. A. Fogarty, James F. Swanton, John C. Sheehan, John P. Delaney, Edward E. McCall and others, numbering about one hundred enthusiastic Irish-Americans, enjoyed themselves thoroughly.

Among the letters of regret that were sent to Secretary Edward F. Morrissey was one in which Perry Belmont said:

"It should be the pleasing duty of every citizen of the Republic, whether in public or private life, whether officially or unofficially, to give evidence of his grateful appreciation of the generous-hearted impulses which control those who observe St. Patrick's Day, than whom there are no truer or better Americans, who, if they carry the green flag that day, have always shown their devotion to the flag of our common country on all our battlefields, and whose patriotic Americanism in the field of national politics is one of the important safeguards of our independence and power as a nation."

TO PROHIBIT CHINESE IMMIGRATION.

April 18, 1888.

[ALSO SEE FEBRUARY 7 AND 9, 1888.]

Mr. BELMONT INTRODUCED A BILL "TO PROHIBIT THE COMING OF CHINESE LABORERS TO THE UNITED STATES," WHICH WAS REFERRED TO THE COMMITTEE ON FOREIGN AFFAIRS, AND WAS SUBSEQUENTLY REPORTED BY SUBSTITUTE.

(From The Independent, New York, April 26, 1888.)

Mr. Belmont introduced a bill into the House last week providing that from and after date of its passage it shall be unlawful for any Chinese person, whether a subject of China or any other power, to enter the United States, except Chinese officials, teachers, students, merchants, or travelers for pleasure or curiosity, with the permission of their Government first obtained, and their identity and personal description fully established by certificates in triplicate to be issued by diplomatic or consular representatives of the United States, one to be given to the applicant, one to the captain of the ship with a letter of transmissal, and one sent under seal to the Collector of the Port at which they propose to enter. Similar precautions are provided for Chinese entitled to enter the United States by land. Chinese diplomatic or consular officers and their attendants are to be admitted under special instructions of the Secretary of the Treasury. Masters of vessels are required to put lists of all Chinese on board on their manifests and to report them at the time of entry and before landing, under penalties. All return certificates heretofore issued to Chinese laborers shall expire six months from date of this act. No Chinese laborer shall hereafter be permitted to return, except when he has a lawful wife, child or parent in the United States, or property or debts due him of $1,000 or upward. His wife must have been acquired at least a year before his application for leave, and he must have continuously lived with her; the property must be shown to be *bona fide;* promissory notes or other acknowledgments will not be accepted as debts under this act. Applications to leave and return must be made under oath, with penalties of perjury, a month in advance, with full description and proof of family, property and debts; and full description of applicant's person shall be taken, numbered and retained by the Collector, and a certificate correspondingly numbered shall be given the applicant. The right to return under this certificate shall be limited to one year, and available only at the port from which he departed. Fine and imprisonment are imposed on masters of vessels knowingly landing Chinese in violation of this act, and a forfeiture of vessel is provided for. Any Chinese found unlawfully in the United States shall be removed to the country from which he came at the cost of the United States, and the person who brought him here shall be held liable to the United States for the expense. The Act of May 6, 1882, is repealed.

CHINESE RESTRICTION BILL.

(San Francisco Examiner, April 19, 1888.)

It is evident that the Democratic leaders at Washington are anxious to carry out the wishes of the Pacific coast on the Chinese question. The new treaty which Mr. Bayard obtained was probably as strong as diplomacy could at present effect. It had, however, some serious defects which the Examiner was not slow in pointing out. But it was too late for these faults to be corrected in the treaty itself, and it will now be sought to rectify them by the bill which is to be offered by Perry Belmont, chairman of the House Committee on Foreign Affairs, acting for the administration.

A feature of this new restriction act, which instantly commends itself, declares that "all return certificates heretofore issued to Chinese laborers shall expire within six months of the passage of this act." This provision would practically wipe out the certificate trade which has been going on through the custom-house for years, and would allow the courts and officials to start once more with clean books and an experience that would greatly diminish the likelihood of fraud.

The act declares that not another Chinese laborer shall enter our ports, excepting a necessarily small class — those who have wives here with whom they can prove they have continuously lived for one year before asking for the certificate, and those who have $1,000 in *bona fide* property in this country. There are not five thousand Chinamen in the land to-day who could honestly obtain return certificates under the conditions.

Mr. Belmont evidently consulted those who knew well the weak places in the laws now in force before he drafted this one, for it meets present glaring needs in the most minute particulars. Take, for instance, that relating to the issuing of applications to leave and return. These must be filed a month before the applicant desires to leave, and at that time an exact description must be taken, which the Collector retains with a duplicate certificate. The certificates are made good for only one year from the date of issuance, thus precluding the possibility of one year's fraud being carried forward for an endless period.

PARIS EXPOSITION OF 1889.

CONFERENCE REPORT.

May 3, 1888.

[CONTINUED FROM MARCH 1, 1888.]

Mr. BELMONT submitted a conference report, signed by Representatives Perry Belmont, Robert R. Hitt and Isidor Rayner, managers on the part of the House, and Senators John Sherman, Wm. M. Evarts and Joseph E. Brown, managers on the part of the Senate, on the disagreeing votes of the two Houses on the joint resolution accepting the invitation of the French Republic to take part in an international exposition to be held in Paris in 1889.

The report, which agreed on certain recommendations, was read.

The managers on the part of the House submitted the following statement:

The amount appropriated by the joint resolution, as it passed the House, was $225,000; the Senate increased it to $300,000; the conferees agreed upon an appropriation of $250,000. The Senate increased the allowance for salaries and expenses of the commissioner-general and assistants on the ground that the length of time over which their services would extend would be much greater than on the corresponding occasion in 1878, and the House managers accepted these amendments. The proposed honorary commissioners from States and Territories are stricken out, as is also the provision requiring in express terms an exhibit to be made of American pork products, the House managers having assurance from the Commissioner of Agriculture that, under the general terms of the joint resolution, he will be able to carry out the purpose had in view by the House when this amendment was added to the resolution.

PERRY BELMONT,
ROBERT R. HITT,
ISIDOR RAYNER,
Managers on the Part of the House.

The conference report was adopted.

The joint resolution, as amended, was signed by the President May 14, 1888.

TENDER OF THE CROSS OF COMMANDER OF THE LEGION OF HONOR.

(New York Tribune, Washington correspondence, May 5, 1888.)

M. Roustan, the French Minister to this country, recently called on Perry Belmont, chairman of the House Committee on Foreign Affairs, and informed him that the French Republic desired to confer on him a decoration of merit. M. Roustan stated that the French Government appreciated highly the kindly manner in which Mr. Belmont had spoken of the French Republic in presenting the resolutions passed by Congress a few days ago, accepting the invitation to take part in the Paris Exposition, extended to the United States by France.

Mr. Belmont, in reply, expressed his gratification, but said it was not, in his opinion, proper that he should, in his representative capacity as a member of the Congress of the United States, accept the honor desired to be conferred on him by the French Government.

While the decoration desired to be given Mr. Belmont was not specifically named, it was understood to be the Cross of the Legion of Honor.

(New York Sun, May 7, 1888.)

Mr. Perry Belmont's action in promptly and courteously declining the decoration offered to him by the French Republic, through Minister Roustan, was sensible. A similar course by all officers of the Government under similar circumstances would save much time for Congress, which is beset at each session with projects of legislation authorizing the acceptance of such marks of foreign esteem. The ninth section of the Constitution declares that no person holding any office of profit or trust under the United States "shall, without the consent of the Congress, accept of any present, emolument, office or title of any kind whatever from any king, prince or foreign State." Naval officers oftenest have occasion to ask this consent of Congress for their acceptance of a foreign ribbon or piece of plate, as Mr. Belmont, in his capacity of chairman of the House Committee on Foreign Affairs, has observed.

In declining the decoration which the French Republic wished to confer, in recognition of the manner in which he had presented the resolution relating to the French centenary of 1889, Mr. Belmont has set a good example.

[SEE THE SUBSEQUENT BESTOWAL AND ACCEPTANCE OF THIS DECORATION, MARCH 3, 1889.]

DEBATE ON DIPLOMATIC AND CONSULAR APPROPRIATION BILL.

MINISTERS VS. AMBASSADORS.

May 21, 1888.

[THIS BILL WAS REPORTED FROM THE COMMITTEE ON FOREIGN AFFAIRS, TO THE HOUSE BY MR. BELMONT, FEBRUARY 7, 1888.]

Mr. BELMONT.— Mr. Speaker, I now renew the motion which I made earlier in the day, that the House resolve itself into Committee of the Whole for the purpose of considering general appropriation bills. I trust that gentlemen will see the wisdom of this course. The committee which I represent has a bill which might be called up and passed under a suspension of the rules, but we waive that course for the present, and under the instruction of the committee I make the motion that the House now resolve itself into Committee of the Whole for the purpose of considering general appropriation bills.

Mr. TOWNSHEND.— Mr. Speaker, in my judgment it is too late to enter into the consideration of an appropriation bill, and, therefore, I think we had better proceed with the regular order.

Mr. RANDALL.— Not at all.

Mr. BLOUNT.— Mr. Speaker, in view of some things which have been said here, I hope I may be allowed to say that there are four or five other appropriation bills in the Committee of the Whole, and that we are getting pretty near to the end of the fiscal year.

Mr. BELMONT.— Mr. Speaker, let me add that we can finish this bill this evening.

The motion of Mr. Belmont was agreed to, and the House resolved itself into the Committee of the Whole to consider the diplomatic and consular appropriation bill, Mr. Townshend in the chair.

Mr. BELMONT.— Mr. Chairman, I regret that the Committee on Foreign Affairs have found it necessary under the rules to report a bill which contains no change of existing law. We have been in receipt of many communications from Consuls and diplomatic officers, as well as

from the Department of State, which, under other circumstances, would have required us to recommend some important changes for the benefit of the service; but we are confronted with a rule which binds us to such an extent that the House now has before it a bill which is practically a re-enactment of last year's appropriation bill. The House is, of course, familiar with the rule, but for the benefit of others interested, who are not, I will ask to incorporate it. It is as follows:

Rule XXI, paragraph 3:

"No appropriation shall be reported in any general appropriation bill, or be in order in any amendment thereto, for any expenditure not previously authorized by law, unless in continuation of appropriations for such public works and objects as are already in process; nor shall any provision changing existing law be in order in any general appropriation bill or in any amendment thereto."

Under this rule it only remains for me to ask to have the Clerk to perform the clerical duty of reading through the bill in the ordinary way. I know there is no member of the committee who desires to speak upon it. I have only to say that proposed important changes in the consular service have been considered by the Committee on Foreign Affairs, and are embodied in another bill which we shall ask the House to consider on some future occasion.

Not only is the present bill exactly in accordance with last year's bill, but the amounts appropriated in it are the same, with the exception of a decrease of $16,077.44, provided last year for the Venezuelan and Haytian Commissions, which are not now needed. There are a few verbal changes necessary, which I shall ask the Committee of the Whole to make as we proceed with the consideration of the bill. I now move that the first reading of the bill be dispensed with.

The motion was agreed to.

Mr. BELMONT.— I now ask unanimous consent, Mr. Chairman, that the bill be read by sections under the five-minute rule.

There was no objection.

Mr. McCREARY.— Mr. Chairman, the Committee on Foreign Affairs considered this bill very carefully; and I had the honor to be a member of the subcommittee which had it especially under consideration. It is true, as stated by the chairman of the committee (Mr. Belmont), that the bill, with the amendments which he intends to offer, will be in exact accordance with the bill passed by the House at the last session. We endeavored in committee to make this bill conform in every respect to the present law and to the bill passed at the last session. I make this statement with the view of facilitating and hastening the passage of the bill.

General debate was dispensed with; and the Clerk read as follows:

Contingent expenses foreign missions:

For the purpose of enabling the President to provide, at the public expense, all such stationery, blanks, record and other books, seals, presses, flags and signs as he shall think necessary for the several legations in the transaction of their business, and also for rent, postage, telegrams, furniture, messenger service, clerk hire, compensation of cavasses, guards, dragomans and porters, including compensation of interpreter, guards and Arabic clerk at the consulate at Tangier, and the compensation of dispatch agents at London, New York and San Francisco, and for traveling and miscellaneous expenses of legations, and for printing in the Department of State, $105,000.

Mr. BELMONT.— I move to amend by inserting after the word "dragomans," in line 92, the word "janitors."

The amendment was agreed to.

The Clerk read as follows:

To enable the President to meet unforeseen emergencies arising in the diplomatic and consular service, and to extend the commercial and other interests of the United States, to be expended pursuant to the requirements of section 291 of the Revised Statutes, $50,000, or so much thereof as may be necessary.

Mr. DINGLEY.— In order to put a question to the gentleman from New York (Mr. Belmont) I move to strike out the last word. I wish to inquire whether there is any appropriation in this bill for the expenses of the Fishery Commission.

Mr. BELMONT.— There is no specific appropriation for that purpose.

Mr. DINGLEY.— Is this appropriation for the secret service fund, one which will be available for that purpose?

Mr. BELMONT.— It might be so considered, but there is nothing in the bill which would carry that intention. The money is to be expended in accordance with section 291 of the Revised Statutes, a provision with which the gentleman from Maine is no doubt familiar. This can hardly be said to be a secret service fund; it is simply a fund placed at the disposal of the Department of State in the same manner as we have done hitherto. But I am not able to say that it is for the purpose of paying salaries or any portion of the expenses of the commission referred to.

Mr. DINGLEY.— I do not observe in this bill any specific appropriation for the payment of the gentlemen who represented the United States upon the Fishery Commission. I observe that in the British Parliament a specific appropriation for the payment of the British commissioners was made with great *eclat*. I had supposed that provision for the payment of our commissioners might be included in this appropriation. I understand from the chairman of the committee that, though

there is no specific provision, such compensation may be drawn from the fund here provided.

Mr. BELMONT.— That may be possible, but it may be inferred that the gentlemen who served as commissioners were not so zealous about the question of salary as they were in their desire to be of service to the country.

Mr. DINGLEY.— I had supposed the committee might make specific provision for the payment of these commissioners.

Mr. BELMONT.— No such specific provision was made.

Mr. DINGLEY.— But you think these expenses might be paid from this appropriation?

Mr. BELMONT.— I think it possible, but I have no information on the subject.

Mr. DINGLEY.— That is all I wish to say. I simply desired to get information. I withdraw the *pro forma* amendment.

The Clerk read as follows:

For defraying the expenses of transporting the remains of Ministers and Consuls of the United States who may have died, or may die, abroad, while in the discharge of their official duties, to their former homes in this country, and for the ordinary and necessary expenses of such interment, $10,000.

Mr. BELMONT.— In accordance with the desire of the accounting officers of the Treasury, I move to amend, by striking out, in line 145, the words "and Consuls," and inserting the words "diplomatic officers, Consuls and consular clerks;" so as to read, "Ministers, diplomatic officers, Consuls and consular clerks."

The amendment was agreed to.

The Clerk read the paragraph:

Great Britain and British dominions:
Consuls —

Mr. BELMONT.— I move to amend by striking out, in line 303, the word "Leicester," which has been left in by inadvertence. Leicester is now a consular agency, paid by fees. In the bill as originally drafted it was proposed to make it a salaried consulate, but as this would be a change of existing law, it is stricken out.

The amendment was agreed to.

Mr. BELMONT.— In order to correct a similar inadvertence, I move to amend by striking out, in lines 307 and 308, the words "Stanbridge (Canada)."

The amendment was agreed to.

The Clerk read as follows:

Barmen, Belfast, Dundee, Halifax, Leith and Matamoras, at $640 each, $4,480.

Mr. BELMONT.— I move to amend by striking out "and" after "Leith" and inserting after the word "Matamoras" the words "and Victoria." There is already a clerk provided for at Victoria, and this omission has happened merely through inadvertence.

The amendment was agreed to.

Mr. SPRINGER.— I ask unanimous consent to return to line 28 on page 2 for the purpose of making an amendment.

The CHAIRMAN.— Is there objection?

Mr. HOLMAN.— Let us first hear what it is.

Mr. SPRINGER.— It is an amendment which will not involve any expenditure at all. I desire to strike out, in line 28, the words "Ministers resident," and insert the words "Envoys Extraordinary and Ministers Plenipotentiary." This change will cost nothing at all, but will have the effect of giving to our Ministers resident an increased dignity and rank. Every gentleman who has been abroad knows that in all foreign countries our representatives suffer by reason of the inferior rank which their country gives them. As the governments to which these Ministers resident are accredited send Ministers Plenipotentiary to our Government it will cost nothing to give our representatives similar rank; and I see no reason why it should not be done. I, therefore, desire to move an amendment (which will involve no increase of expense whatever), striking out the words "Ministers resident" and inserting the words "Envoys Extraordinary and Ministers Plenipotentiary." I make this proposition with the consent of the chairman of the committee and of the gentleman from Illinois (Mr. Hitt), a member of the committee.

Mr. HOLMAN.— I hope my friend from Illinois (Mr. Springer) will not insist on this amendment. It is simply laying a foundation for increased salaries.

Mr. SPRINGER.— Not at all. I assure my friend it has nothing at all to do with salaries.

Mr. HOLMAN.— It must have an effect in that direction.

Mr. SPRINGER.— Oh, no.

Mr. RANDALL.— The mere change of title will not do these officers any good.

Mr. SPRINGER.— There is where my friend from Pennsylvania (Mr. Randall) does not understand diplomatic affairs. I refer him for information on this subject to the distinguished gentleman who at this moment sits behind him, Mr. Curtin, recently a representative in this

House, and who, having been at one time a foreign Minister, could, if now permitted to speak on this floor, tell the gentleman from Pennsylvania (Mr. Randall) that it makes a great deal of difference whether our Minister to a foreign country is accredited as a Minister resident or as an Envoy Extraordinary and Minister Plenipotentiary.

Mr. RANDALL.— My sympathies run in the direction of the Consuls rather than in favor of the diplomatic representatives.

Mr. SPRINGER.— My sympathies run in favor of both classes of officers. There is where I have the advantage over my friend. I think it important that we should be represented in foreign countries by Ministers of equal rank with the representatives which they send here. I have received information from one of our Ministers resident abroad to the effect that it frequently happens when our Minister appears at court to transact public business he has to wait in the ante-room until the Minister of Nicaragua, for instance, has had a hearing.

Mr. RANDALL.— There appears to be no real necessity for this change.

Mr. SPRINGER.— I desire to yield the remainder of my time to the gentleman from New York (Mr. Cox).

(Mr. Cox addressed the House in favor of the amendment.)

Mr. BELMONT.— While the House is engaged in this discussion, I think it proper to say that the Committee on Foreign Affairs has carefully considered the proposition to increase the rank of our Minister in London to that of Ambassador, under a resolution introduced by the gentleman from Illinois (Mr. Mason). It did not appear to the committee, if I may be allowed to speak for them, that it was wise to make any change in London alone, for reasons which might apply with equal force to other diplomatic posts. Whatever arguments may be presented in favor of raising the rank of our missions and the creation of American embassies, there is another phase of the question, and one usually but little thought of; that is, the receiving of foreign Ambassadors in this country. If we send Ambassadors abroad we must prepare to receive Ambassadors here.

If such a course were pursued it would entirely change the character of the diplomatic representation in Washington. Under the rules established by the Congress of Vienna, in 1813, completed at Aix-la-Chapelle, in 1818, and formally assented to by the United States, four grades of diplomatic representation were established: First, Ambassadors; second, Envoys; third, Ministers resident; and, fourth, chargés

d'affaires. If I understand rightly the proposition of my colleague from New York (Mr. Cox), he would make all our Ministers abroad Ambassadors. This would require, under the rules of international etiquette, that every country which now has representation in the Diplomatic Corps in Washington should send to the United States a Minister of the same rank as the United States accredited. Consequently, only Ambassadors would be sent to Washington. I need hardly say this would be almost absurd.

Ambassadors in the earlier days of diplomacy were understood to represent the person of the sovereign, and were received with a certain amount of ceremonial honors. This has been changed in part. Ambassadors, no longer even in theory, are supposed to deal directly with the sovereign. They, as well as Ministers of lower rank, now transact their business through the foreign offices. Still, there are some ceremonial observances connected with the rank which are yet maintained, and which would be a source of considerable embarrassment here in Washington if the plan outlined by my colleague were carried into effect.

It would be a more dignified and proper course, in my opinion. for the United States, if it is considered well to do anything at all in reference to the matter, of which I have some doubt, to propose that there should be a modification of the rules established by the Congress of Vienna, so as to simplify and reduce the number of diplomatic grades, thus establishing an actual instead of a theoretical equality between sovereign States.

The proposition advanced by many publicists is that there should be but two grades, one corresponding to the Minister Plenipotentiary or Minister resident, all to be designated by the same title, which would convey with it the idea which my friend from New York (Mr. Cox) has presented to the House; that is to say, an ambassadorial representative; and the other to be simply chargés d'affaire. A resolution might be passed, asking that initial steps be taken with other nations for a revision of the rules. But it must be important for Congress to consider the fact that if we send Ambassadors we must be prepared to receive them here in Washington, and, as I have said, it would make a great change in the present Diplomatic Corps.

Mr. COX.— Let me ask my friend this question. If the treaty of Vienna, he calls it — I think it was Paris —

Mr. BELMONT.— No; it was the Congress of Vienna that established the rules, which were completed at Aix-la-Chapelle in 1818.

Mr. COX.— Very well; if that treaty limited Ambassadors only to monarchial governments, why is it, and that is the next question, since

France has become a republic, that they still keep up the ambassadorial rank there? They have made no change since they became a republic. Why should we not do the same thing?

Mr. BELMONT.— I will repeat that writers on international law are pointing out the fact that the distinction between Ambassadors and Envoys Extraordinary is growing less and less from day to day; and it is for that reason it is proposed in some quarters to have a revision of the rules.

It is quite true the distinction is obsolete. Originally, as I have said, Ambassadors were assumed to represent the person of the sovereign. That, of course, is no longer the case, as my friend from New York has stated. France, a republic, sends an Ambassador to Switzerland, another republic.

If we want to take a step that is progressive, we might very properly call upon the Executive to inaugurate some conference on the subject. But so long as the rules of Vienna exist, this distinction between Ambassador and Envoy will be continued, and in some cases to our detriment. I have known, however, cases where an American Minister refused to submit to any such discrimination in the transaction of his business with the foreign office. For instance, Mr. Bancroft, in Berlin, when he called on the Minister of Foreign Affairs, being obliged to wait because of the arrival of the British Ambassador, returned to his residence and made it known to the foreign office that he would not transact the business of the United States unless he was received as other Ministers; and the rule in that case was changed.

A similar change of rule was brought about in like manner in Holland. In Russia the foreign office has for some time observed the plan of receiving Ministers in their order of arrival, irrespective of their rank.

I only mention these cases in order to show that there is reason to believe that a revision of these rules might be brought about, and that this course would be much preferable to the United States.

Mr. RANDALL.— I think the Constitution of the United States permits the President to appoint Ambassadors if he sees fit.

Mr. BELMONT.— Yes, sir.

Mr. RANDALL.— And it is then for Congress to appropriate the money. But to change the title is, in my judgment, the first step toward an increase of pay.

Mr. COX.— That was not the result when we raised Ministers resident to Envoys Extraordinary.

Mr. RANDALL.— It either means increased pay or it is a mere tinsel title of which the American citizen stands in no need.

Mr. COX.— It means something else than a mere title. It means the transaction of business; when you have to wait for a dozen people not half so important as you are.

Mr. RANDALL.— The dignity of a representative of the American Government commands respect at all these places, and I have near me at this moment a gentleman (ex-Governor Curtin, of Pennsylvania) who corroborates that statement.

Mr. COX.— That depends on one thing. The result of sticking to the old etiquette is that no man with a different title can get ahead of Ambassadors.

Mr. RANDALL.— I would either go ahead or go away and let them send for me.

Mr. COX.— I would abolish the whole system.

Mr. SPRINGER.— The gentleman from Pennsylvania (Mr. Randall) and the gentleman from Indiana (Mr. Holman) opposing this reform, I withdraw my amendment. The responsibility for its failure will rest upon those gentlemen.

Mr. BELMONT.— I move that the bill be laid aside to be reported to the House with the amendments.

There was no objection, and it was so ordered.

[SEE CONFERENCE, JUNE 21 AND 28, 1888.]

DEBATE ON INTERNATIONAL MARINE CONFERENCE.

May 24, 1888.

[CONTINUED FROM FEBRUARY 9, 1888.]

Mr. BELMONT.— The gentleman in charge of the bill first in order has agreed to yield for a few moments that I may bring up a bill already passed by the Senate, which it is very desirable the House should dispose of at once. It is a bill providing for an international maritime conference, and is a measure of great importance. It has been recommended in a special message of the President and in a report from the Navy Department. It has also the approval of all, or nearly all, of the maritime associations and commercial exchanges in the country.

Mr. FORNEY.— I have no objection to the consideration of the measure referred to by the gentleman from New York (Mr. Belmont) if it does not take any time.

The title of the bill was read.

The CHAIRMAN (Mr. Blount).— The gentleman from New York asks unanimous consent for the present consideration of this bill. Is there objection?

Mr. CANNON.— Let us hear it read. How much time will it take?

Mr. BELMONT.— It is a bill which has already been passed by the Senate. It provides merely for an international marine conference.

Mr. CANNON.— I suppose it will have to be read, at any rate.

Mr. BELMONT.— I am instructed by the Committee on Foreign Affairs to move a substitute.

Mr. CANNON.— Then let us hear the substitute.

Mr. BELMONT.— Let the substitute be read.

The substitute proposed by the Committee on Foreign Affairs was read.

Mr. FORNEY (during the reading).— I think this bill will take some time for its consideration, and I must object.

Mr. BUCHANAN.— It is an important matter, involving the safety of human life at sea.

Mr. FORNEY.— If it will give rise to no debate, I do not object.

Mr. DINGLEY.— I believe no time will be occupied in its consideration.

Mr. O'NEILL, of Pennsylvania.— As soon as the bill has been read, I think the Committee of the Whole will agree to it.

Mr. BELMONT.— If, when the reading of the substitute is concluded, there is any objection, I will not press the proposition.

The Clerk resumed and concluded the reading of the substitute.

Mr. BELMONT.— Mr. Chairman, I think that this proposition needs but a very brief explanation. I had the honor, early in the session, of introducing the bill which it is now proposed to substitute for the Senate bill. There has been nothing done to establish an international code of marine signals since 1856. Fast steamers are now engaged in commerce and the passenger traffic of the country, and the necessity of some change in the old signals has become pressing. This has been made apparent on many occasions. The necessity for an improved system of fog-signals for both sailing and steam vessels is universally recognized, as stated in the report accompanying the House bill:

> Numberless disasters at sea in foggy weather sufficiently attest the fact that the international "rule of the road" now in force is inadequate, especially in regard to steamships. They are now required to give in fogs a prolonged blast of the steam whistle every two minutes. This indicates their proximity, but gives no clue to the direction in which either vessel is steering. Moreover, two steamers a mile apart and moving at half-speed could meet within the two minutes' interval provided by the signals.
>
> This was clearly shown in the recent collision of the steamships Britannic and Celtic, belonging to the same line and sailing under the same general instructions. It was demonstrated that the Britannic could only have given the same signal to port as is now the standing signal to be given under all circumstances in foggy weather. The naval court which investigated that disaster emphatically condemned as insufficient the present system of signaling in fogs, and recommended the adoption of some more effective plan.

Mr. CANNON.— When is it proposed to hold this conference?

Mr. BELMONT.— In October next; and it is necessary that the appropriation be made now, in time to make suitable preparations.

Mr. GUENTHER.— I would like to have the gentleman to explain the difference between the substitute and the original bill.

Mr. BELMONT.— The Senate bill provides an expenditure of $30,000. It seemed to the House committee that $20,000 would be sufficient. The Senate bill provided that the United States delegates should receive the same compensation and allowances as members of the House of Representatives, which seemed to the House committee not sufficiently explicit; and in the amendment they suggest that the delegates should be compensated at the rate of $5,000 per annum.

Mr. DINGLEY.— Is the balance substantially the same?

Mr. BELMONT.— Substantially the same. I move that the bill be laid aside to be reported to the House with the recommendation that it be adopted.

In this connection I ask consent to insert a list of commercial bodies which have passed resolutions in favor of the proposed conference:

THE MARITIME ASSOCIATION OF THE PORT OF NEW YORK,
NEW YORK, *February* 27, 1888.

Dear Sir.— In compliance with your request, I beg to hand you herewith list of seventy-two commercial exchanges which have recommended your measure for an international marine conference.

In addition to the memorials already sent, I beg to inclose memorial from the Cotton Exchanges of New York, Mobile and Birmingham, Ala.; Chambers of Commerce of San Francisco, and Wilmington, N. C.; Boards of Trade of Newark, Kansas City, McKeesport, Denver, Los Angeles, St. Joseph and Omaha; New York, Mercantile and Mechanics and Traders' Exchanges and Brewers' Board of Trade; New Orleans (La.) Sugar Planters' Association, Mechanics, Dealers and Lumbermen's Exchange, Sioux City Jobbers and Manufacturers' Association, St. Paul Jobbers' Union, Detroit Mechanics and Manufacturers' Exchange, and Cleveland Board of Lumber Dealers, asking the enactment of the measure.

It will be remembered that the subject has been favorably recommended to Congress by the President, and been commended by the Department of State, Navy Department, Bureau of Navigation, Signal Service, and, we are informed, by the New Jersey Legislature.

Very respectfully yours,

F. W. HOUGHTON,

Superintendent.

Hon. PERRY BELMONT.

House of Representatives bill No. 6554, introduced by Hon. Perry Belmont, "providing for an international marine conference to secure greater safety at sea," has been supported by the following commercial bodies, namely:

Alabama — Mobile: Chamber of Commerce, Cotton Exchange; Birmingham: Chamber of Commerce.

California — Los Angeles: Board of Trade; San Francisco: Chamber of Commerce, Merchants' Exchange.

Colorado — Denver: Chamber of Commerce and Board of Trade.

Connecticut — Bridgeport: Board of Trade; New Haven: Chamber of Commerce.

Florida — Jacksonville: Board of Trade.

Georgia — Savannah: Cotton Exchange.

Illinois — Chicago: Citizens' Association.

Iowa — Sioux City: Jobbers and Manufacturers' Association.

Kansas — Fort Scott: Board of Trade; Wichita: Board of Trade.

Louisiana — New Orleans: Merchants and Manufacturers' Association, Mechanics, Dealers and Lumbermen's Exchange, Chamber of Commerce, Louisiana Sugar Planters' Association, Board of Underwriters.

Maryland — Baltimore: Merchants' Exchange, Board of Trade, Corn and Flour Exchange.

Massachusetts — Boston: Fish Bureau, Chamber of Commerce, Merchants' Club, National Board of Trade.

Michigan — Detroit: Merchants and Manufacturers' Exchange, Board of Trade.

Maine — Portland: Board of Trade, Merchants' Exchange.

Minnesota — St. Paul: Chamber of Commerce, Jobbers' Union; Minneapolis: Jobbers' Association; Duluth: Chamber of Commerce; Mankato: Board of Trade.

Mississippi — Vicksburg: Cotton Exchange.

Missouri — St. Joseph: Board of Trade; St. Louis: Merchants' Exchange; Kansas City: Board of Trade.

Nebraska — Omaha: Board of Trade.

New Jersey — Newark: Board of Trade.

New York — New York: The Maritime Exchange of the Port of New York, Mechanics and Traders' Exchange, Cotton Exchange, Lager Beer Brewers, Board of Trade, Building and Material Exchange, Produce Exchange, Mercantile Exchange.

New Hampshire — Portsmouth: Board of Trade.

North Carolina — Wilmington: Chamber of Commerce, Produce Exchange.

Ohio — Cleveland: Board of Lumber Dealers, Vessel Owners' Association; Toledo: Produce Exchange; Cleveland: Board of Trade.

Pennsylvania — Titusville: Merchants and Manufacturers' Association; Philadelphia: Maritime Exchange, Board of Trade, Commercial Exchange, Grocers and Importers' Exchange, Vessel and Captains' Exchange, Doug Exchange; McKeesport: Board of Trade.

Rhode Island — Westerly: Business Men's Association; Providence: Mechanics' Exchange.

South Carolina — Charleston: Charleston Exchange.

Tennessee — Nashville: Merchants' Exchange.

Utah — Salt Lake City: Chamber of Commerce.

Virginia — Norfolk: Merchants and Manufacturers' Exchanges, Cotton Exchange; Richmond: Chamber of Commerce.

Wisconsin — Milwaukee: Chamber of Commerce.

Also commended by the President of the United States, Department of State, Navy Department, Bureau of Navigation, United States Signal Service, Legislature of New Jersey.

The Clerk, by direction of the Chair, read the first paragraph of the substitute.

The CHAIRMAN.— The question is on agreeing to the substitute.

Mr. HOLMAN.— I hope the gentleman will explain how this money is to be expended.

Mr. BELMONT.— Partly in the salaries of the delegates and partly in the preparations necessary for receiving the delegates from all other maritime nations. The expenditures are to be made under the direction of the Secretary of State, and under the terms of this bill he must account to the House for the same.

Mr. GUENTHER.— Are those gentlemen who are delegates on the part of the United States going to receive two salaries, $5,000 as fixed by the bill and their salary as naval officers?

Mr. BELMONT.— No: the delegate who is to represent the navy and the one who is to represent the Life-Saving Department of the Government are to serve without pay, but to have their necessary expenses paid.

Mr. HOLMAN.— Is there any intimation as to what the pay of the others will be?

Mr. BELMONT.— Five thousand dollars per annum during the term of their service.

Mr. HOLMAN.— For what length of time are they to be engaged? This conference being called to consider a single subject, it would seem it would not require a considerable length of time.

Mr. BELMONT.— I can not say how long the conference will be in session.

Mr. DINGLEY.— I think the conference of 1856, if the gentleman will pardon me, was in session only about three weeks.

Mr. RANDALL.— I presume it will be in conference until the $20,000 is expended.

Mr. HOLMAN.— That amount seems unnecessarily large.

Mr. RANDALL.— I would like to ask a single question in this connection of the gentleman from New York; that is, supposing this conference should provide certain rules and regulations, how are those rules and regulations to be enforced?

Mr. BELMONT.— By international agreement, just as the rules which were adopted in 1856 are enforced. The gentleman must be aware that nothing has been done since that period, and, therefore, this conference is to be held.

Mr. RANDALL.— Are the rules of 1856 in force?

Mr. BELMONT.— As to flag-signals. The result of that obsolete system is that when fast sailing vessels are passing each other at sea it becomes almost impossible to make out the signals according to the present system. One of the important objects of this conference would be to establish signals for use at sea during fogs. At present it is impossible to indicate anything more than the near proximity of a fast-going steamer. There is nothing to show the direction of its course; and this has been the cause of a great many collisions which are occurring constantly.

Mr. DUNN.— If the gentleman from New York will allow me one moment, I will answer the question of the gentleman from Pennsylvania more specifically. These international rules of the reader code of signals are not in force until adopted by all the maritime nations of the world, and the licensed officers of vessels, inspection officers and all the admiralty courts of the world enforce them against all the vessels of all

nations. Until a few years ago our Government was in the attitude of having our vessels subject to these international rules without having given notice to our mercantile marine of what the rules were, and the courts held that they were bound by them. The courts were constantly deciding questions involving damages under rules of which notice had never been given by the enactment of a statute adopting them.

Mr. HOLMAN.— I think, in view of the statement made by the gentleman from New York, that half the sum named in the bill would be ample. I suggest that the sum should be $10,000.

Mr. McADOO.— Say $12,000.

Mr. HOLMAN.— I move to strike out "$20,000" and insert "$10,000" in the first line of section 3.

Mr. McDONALD.— I move to make the amount $15,000.

Mr. BELMONT.— I do not feel authorized to accept the amendment, but I think the committee might vote on it.

The question being taken on the amendment offered by Mr. McDonald, to make the amount $15,000, it was not agreed to.

The question was taken on the amendment of Mr. Holman to make the amount $10,000, and it was not agreed to.

Mr. HOLMAN.— I now ask that a vote be taken on $15,000.

The CHAIRMAN.— That can only be done by unanimous consent, that motion having been already voted upon.

Mr. BELMONT.— I agree to that proposition.

There was no objection to this proposition.

Mr. STONE, of Missouri.— I would like to have that part of the bill which relates to salaries again read.

Objection was made.

Mr. STONE, of Missouri.— I desire to ask the gentleman from New York if the salaries of the representatives of this Government are fixed by the bill at $5,000.

Mr. BELMONT.— I have already stated to the committee that the delegates who are to receive compensation are to receive $5,000 per annum. Those who serve under the appointment of the Secretary of the Navy, to represent the Navy Department and Life-Saving Service, being already officials of the Government, are to serve without pay.

Mr. STONE, of Missouri.— How many officials of the Government are to serve without pay?

Mr. BELMONT.— Three.

Mr. RANDALL.— Will the gentleman from New York permit me to ask him if this is to take further argument or debate?

Mr. STONE, of Missouri.— I do not propose to debate it.

The question was taken on the amendment of Mr. Holman to insert $15,000, and it was agreed to.

Mr. STONE, of Missouri.— I do not object to the amendment which has just been read; but I propose to offer a new amendment which is to reduce salaries.

The CHAIRMAN.— The gentleman is too late. The paragraph to which he refers has been passed. The question is on agreeing to the substitute.

The substitute, as amended, was agreed to, and so reported to and passed by the House.

[SEE CONFERENCE REPORT, JUNE 23, 1888.]

IMPRISONMENT OF JOHN CURTIN KENT.

May 24, 1888.

Mr. BELMONT presented to the House the following resolution, which was adopted:

Whereas, John Curtin Kent, a naturalized citizen of the United States, has been convicted of complicity with one Dr. Gallagher in an alleged dynamite plot in England, and is now suffering a term of imprisonment therefor in Milbank Penitentiary in London; and

Whereas, It is reported by the United States Consul-General in London that the conviction of the said Curtin Kent was contrary to the charge of the judge who presided at the trial, and is believed to have been obtained on insufficient or improperly considered evidence; and

Whereas, It appears that the fact of the American citizenship of the said Curtin Kent was not made known at the trial of his case, and, therefore, proper representation could not be made on his behalf,

Resolved, That the Committee on Foreign Affairs be and is hereby instructed to inquire into the facts of the case of the said Curtin Kent and to report thereon to the House.

[SEE ACTION AND REPORT OF COMMITTEE, JULY 6, 1888.]

MR. KENT'S LETTER OF THANKS.

"356 EAST FIFTY-SEVENTH STREET,
NEW YORK CITY, *October* 28, 1895.

"Hon. PERRY BELMONT:

"Dear Sir.—Having been restored again to freedom after an incarceration of over twelve years in English prisons on the charge of treason, I take an early opportunity of thanking you for the efforts you made in my behalf in 1888, in presenting a resolution to Congress, as chairman of the Committee on Foreign Affairs, calling for an investigation into my unjust confinement.

"Although my imprisonment has continued until recently, and I have been released under the plea of ill health, I beg to assure you that I shall never forget your kindly interest in my case, in which you were actuated, I am sure, not only by its individual merits, but by the underlying principles of humanity and justice that it involved.

"If possible, it would afford me much pleasure to express to you in person the gratitude which I feel for your efforts in my behalf, and the feeble expression of which I beg you to accept with these lines.

"Believe me to be, with great respect,

"Very respectfully yours,

"JOHN C. KENT."

PERMANENT EXPOSITION OF THE THREE AMERICAS.

THE COLUMBIAN EXPOSITION.

June 16, 1888.

Mr. BELMONT SUBMITTED THE FOLLOWING REPORT FROM THE COMMITTEE ON FOREIGN AFFAIRS:

The Committee on Foreign Affairs to whom was referred the bill, H. R. 8868, entitled "A bill to provide for a world's exposition at the national capital in 1892, and thereafter a permanent exposition of the three Americas, in honor of the four hundredth anniversary of the discovery of America," have had the same under consideration, and beg leave to report, in lieu thereof, the following substitute:

A BILL to provide for a permanent exposition of the three Americas, at the national capital, in honor of the four hundredth anniversary of the discovery of America.

Whereas, The year eighteen hundred and ninety-two will be the four hundredth anniversary of the discovery of America by Christopher Columbus; therefore,

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That a permanent exposition of the three Americas may be established at the national capital under the joint auspices of the forty-six States and Territories and the sixteen independent nations of the American continent.

§ 2. That the President of the United States is hereby authorized to appoint a governmental board of nine directors to formulate a plan for the proposed exposition.

§ 3. That said plan shall include the appointment of an advisory board of sixty-two members, one to be appointed by the Governor of each of the forty-six States and Territories, and one by the Executive of each of the sixteen independent American nations.

§ 4. That space for said permanent exposition of the three Americas be assigned, under direction of the President, in some unoccupied governmental reservation in the city of Washington, as follows:

I. Space for a permanent State and Territorial building for a permanent exhibit of the representative history, resources, arts and industries of the forty-six States and Territories of the United States, said space to be available whenever said States and Territories, or a majority thereof, shall make the necessary appropriations for the expenses of said building and exhibit.

II. Space for a permanent three Americas building for a permanent exhibit of the history, antiquities, resources, arts and industries of the fifteen Spanish-

American Republics, the Empire of Brazil, the Dominion of Canada, and the various colonies of North, Central and South America, said space to be available whenever said nations and colonies, or a majority thereof, shall make the necessary appropriations for the expenses of said building and exhibit.

III. A suitable site for a statue of Christopher Columbus, said site to be available whenever the necessary funds are provided for the expenses of said statue.

§ 5. That when the plan shall have been formed as provided in section two, the President of the United States is authorized to invite the several States and Territories of the United States and the several nations of the three Americas to appoint their respective members of the advisory board, and to participate in said exposition in the manner heretofore provided.

§ 6. That the sum of twenty-five thousand dollars, out of any money in the Treasury not otherwise appropriated, or so much thereof as may be necessary, is hereby appropriated to defray the necessary expenses of said board of directors.

The various nations of the American continent have expressed a desire to suitably commemorate the coming four hundredth anniversary of the discovery of the New World by Christopher Columbus.

In 1883 King Alphonso XII, of Spain, stated: "It is an event in which all the world would be interested, and in which the leading nations might unite."

Senor Castelar said upon the same occasion: "I would have all the nations interested so combine as to make this anniversary the most memorable and the greatest ever held in the history of the world."

More recently (on the 15th of July, 1887) the Spanish Minister of State, Senor Don S. Moret, informed Hon. J. L. M. Curry, our Minister to that country, that the council of Ministers had decided "that Spain will take the initiative in celebrating in the most solemn manner the centenary of the discovery of America in the year 1492;" also, "that Spain is ready at the same time to take part in any other celebration and solemnity which may be undertaken on the American continent to commemorate the great event."

Italy and Spanish America have for some time past been looking forward to this event, and considering what steps should be taken in commemoration.

Your committee think that the United States should take the initiative in this matter. A national board of promotion, composed of the Governors of most of the States and Territories, the Mayors of the leading cities, the officers of boards of trade throughout the country, and many other prominent citizens, representing all of the forty-seven States and Territories, have during the past two years created a strong public sentiment in support of the movement, and have submitted to Congress

a carefully-considered plan for a national and international celebration in 1892 in honor of the quadri-centennial of the discovery of the New World by Columbus.

That portion of this plan relating to a State and Territorial exhibit and a three Americas exhibit requires immediate attention this session, in order that these States and Territories and the other American nations may have time for preparation.

Of the total forty-six State and Territorial Legislatures of the United States, thirty-three meet during the coming seven months, and nearly all of these in biennial session. Hence it is of importance that no time be lost in extending the invitation provided for in the bill reported.

The United States has repeatedly, during the past thirty-five years, accepted invitations to participate in international expositions at the capitals and leading cities of European and other foreign nations.

During the present session Congress has, by legislation, accepted invitations to Paris, Brussels, Melbourne and Barcelona.

At our own national capital there has never been a gathering of nations at an exposition. The committee unanimously report and recommend the passage of the substitute bill herewith submitted.

(New York Press.)

Further investigation shows that the scheme being worked by Washingtonians to capture the International Exposition of 1892 has reached large proportions, and has developed such ramifications that New York will need to exert all their energies and in a prompt manner to meet the emergency and head off the plan of the manipulators at the capital.

As stated in the Press yesterday, a bill was reported favorably from the Committee on Foreign Affairs, of which Perry Belmont was chairman in the last House, providing for the fair to be held in Washington, calling upon all nations and upon the Governors and Legislatures of the United States to co-operate, and making a large appropriation for the purpose.

At the time of the introduction of the measure into Congress the question of locality had assumed no such dimensions as at present. The bill was conceived in Washington, and was presented on the broad basis that, in view of the action that Spain had already taken to celebrate the discovery of America by Columbus, the United States should not be behind-hand in the grand jubilation over the commemoration of the great event of 1492. It was desired also that the Central and South American States and Mexico should have a common meeting ground in the United States in which to celebrate the occasion.

Washington was selected purely as a first thought, without any consideration of the subject beyond the fact that there should be a celebration by this country. * * * The bill was sent to the Committee on Foreign Affairs, and was favorably reported unanimously. Soon after this Mr. Belmont retired in order to accept the Spanish mission, and ex-Governor McCreary, of Kentucky, became

chairman of the committee. Had he succeeded in getting the measure before the House, the bill would undoubtedly have passed, as Congress was in favor of the project so far as the need of a celebration went, and Washington would have slipped in as a minor feature.

While the committee usually obtains two days for the consideration of important measures, Chairman McCreary did not succeed in getting even one, so that the important measures before the committee all unanimously agreed upon, including the exposition bill, went over under the rule because of the crush of business, the appropriation bill alone getting through.

The bill, however, will be taken up at the first session of the next Congress, and there a strong fight to put it through will be made.

Among the Committee on Foreign Affairs besides Mr. Belmont were William Walter Phelps and Congressman Hitt, of Illinois. Mr. Hitt, it is expected, will be the next chairman of the committee. He will be subjected to the whole force of Illinois, especially as centered in Chicago, and, therefore, his attitude becomes of importance in the matter. * * *

At all events New York needs to be up and doing.

INTERNATIONAL MARINE CONFERENCE.

CONFERENCE REPORT.

June 23, 1888.

[CONTINUED FROM MAY 24, 1888.]

Mr. BELMONT presented a conference report, signed by Representatives Perry Belmont, John E. Russell and William W. Morrow, managers on the part of the House, and Senators George F. Edmunds, William P. Frye and John T. Morgan, managers on the part of the Senate, on the disagreeing votes of the two Houses on the amendment of the House on the bill providing for an international marine conference to secure greater safety of life and property at sea.

The report, stating that the Senate receded from its disagreement to the amendment of the House (the Belmont bill) and agreed to the same, was read.

The following statement was submitted by the conferees on the part of the House.

The managers on the part of the House submit the following statement to accompany the conference report on the bill providing for an international marine conference to secure greater safety for life and property at sea:

The bill, as now amended, leaves the place of meeting of the conference, as well as the time of meeting, discretionary with the President; it increases the number of delegates for the United States from five to seven, two of whom are to be officers of the United States Navy, one an officer of the Life-Saving Service, two masters from the merchant marine, and two citizens familiar with shipping and admiralty practice. The total amount appropriated, which in the Senate bill was $30,000, is restored to $20,000, the sum named in the bill originally reported to the House by the Committee on Foreign Affairs, and it is provided that

the powers and authority conferred by this act on the persons appointed by the President shall expire on the 1st day of January, 1890, or sooner, at the discretion of the President.

PERRY BELMONT,
WM. W. MORROW,
Managers on the Part of the House.

The report was adopted. The bill was signed by the President June 9, 1888.

By the above action the original bill, as introduced by Mr. Belmont, with amendments, became a law.

MEETING OF THE CONFERENCE IN 1889.

(New York Herald.)

Washington, Oct. 15, 1889.—The International Marine Conference will meet to-morrow at the State Department. * * * The conference will be welcomed by Secretary Blaine on behalf of the United States, after which the question of the selection of a president will be considered.

An informal meeting of the delegation was had to-day and the matter was talked over. Mr. Charles Hall, Q. C., Member of Parliament and one of the delegates from Great Britain, will propose the name of Rear Admiral S. R. Franklin, United States Navy, for the position of president, and he will be unanimously elected. The conference will then proceed to the White House, when the delegates will be presented to President Harrison. * * * Lieutenant Vincenden L. Cottman of the United States Navy will be permanent secretary of the conference.

In the matter of the selection of vice-president for the conference, there cropped out to-day a feeling, which, if persisted in, is liable to make trouble. It is nothing more or less than the old jealousy between Prussia and France. Both nations are determined to press a member of their delegation for vice-president, and how the matter will be eventually settled remains to be seen.

In connection with this congress it may not be out of place to add that the credit of having this congress is not a prerogative of the State Department. The bill was introduced by Congressman Belmont and became a law July 9, 1888. The impression has gone abroad that the congress was the result of the efforts of Mr. Blaine, while the record shows the contrary to be the fact. The New York Maritime Exchange, supported by the Chamber of Commerce of New York and other bodies of a like character in other seaport towns, were the motives which actuated Mr. Belmont to introduce a resolution in the House of Representatives looking toward the foundation of the congress, which he did February 2, 1888.

The questions which will come before the conference for discussion are numerous, and will tend to bring out its merits in the very strongest light. The rules of the road will probably be the subject that will occupy the attention of the conference the longest period. One of the suggestions in this respect will be that all vessels will be required to carry an additional white light on the after part of the ship, and lower down then the present foremast or masthead white light, so as to form a range by which any alterations of the ship's course can be readily and quickly seen. * * *

(New York News.)

To-day is marked with the sign of importance in that it is the first of the meeting of the International Marine Conference at Washington. The possibilities of beneficence in the work upon which these representatives of the maritime world are about to enter is incalculable. With the earliest days of navigation the record of shipwreck began, and in spite of wonderful improvements in shipbuildings, in life-saving apparatus, in meteorological science, and in the study of the seas, every year down to the present time has had its history of disaster upon the deep, filling the dread fate of an increase rather than a diminution of loss of life and property.

It is to search for safeguard against those perils, growing with the growth of commerce, that chosen men of science, experienced mariners, lawyers, statesmen, students of the ways and progress and servants of humanity are to assemble to-day at this Republic's capital at the invitation of the Government, that but fulfills a mission of our nationality in being foremost to conceive and carry out projects for the betterment of the condition of mankind.

The conference is the result of a Democratic idea, formulated under a Democratic administration and introduced into Congress by Perry Belmont, a Democratic Congressman. But it is one of the virtues of our form of government that a task of that kind, for humanity's sake, can be accomplished as well under the supremacy of one as another party, and Democracy will be well content to have the happy results in contemplation achieved in the course of this Republican administration. The Government can do but little in the matter, as the attainment of the objective point depends upon the work of the conference itself; but it is to be regretted that, with so little to do about it, Congress should have done less than its duty in making an insufficient appropriation, and that the State Department should have failed of its objection at the first step by neglecting to provide a suitable and commodious place of assemblage.

CONSULAR AND DIPLOMATIC APPROPRIATION BILL.

REQUEST FOR A CONFERENCE.

June 21, 1888.

[CONTINUED FROM MAY 21, 1888.]

Mr. RANDALL moved that the House resolve itself into the Committee of the Whole to consider appropriation bills.

Mr. BELMONT desired to make a privileged report, from the Committee on Foreign Affairs, recommending a nonconcurrence in the amendments of the Senate to the consular and diplomatic appropriation bill, whereupon Mr. Randall withdrew his motion.

Mr. BELMONT.— The Senate has not yet asked for a conference.

Mr. HOLMAN.— Would it not be well to read the amendments?

Mr. BELMONT.— There are but few amendments, nor are they of much importance. There are certain changes recommended in the diplomatic service, raising the rank of certain Ministers resident to that of Envoys and Ministers Plenipotentiary. In regard to the consular service, there are but few changes, principally in the Mexican consulates, involving in amount not more than $1,000. There is a Senate proposition for a scientific commission to visit and report upon the commercial resources of the Upper Congo basin, with an appropriation for this purpose amounting to $25,000. The committee, on consideration of these amendments, has requested that the House nonconcur and ask for a conference.

Mr. HOLMAN.— If these amendments are to be opposed in good faith and not as a matter of form, I shall not insist upon their being read. If the report is made by my friend from New York with a view of opposing the adoption of the Senate amendments, I have no objection.

Mr. BELMONT.— I think I may say, on behalf of the committee, that it is opposed to the amendment in regard to the Congo appropriation. The difficulty is there is no provision for placing the supervision of the proposed expenditure in the State Department, or, in fact, in

any other department. As to the increase in rank of Ministers resident to Ministers Plenipotentiary, there is no increase proposed in salaries.

Mr. HOLMAN.— That follows.

Mr. BELMONT.— Pardon me; it does not follow, and I think the conferees should be left free to confer and to consider the importance and usefulness of such amendments.

After further debate, there was no objection to the request of Mr. Belmont for a conference, and the Speaker appointed, as managers on the part of the House, Representatives Belmont, McCreary, and Rockwell, of Massachusetts.

DEBATE CONTINUED, JUNE 28, 1888.

CONFERENCE REPORT.

Mr. BELMONT.— I rise to make a privileged motion — that the House agree to the conference report on the disagreeing votes of the two Houses upon the bill making appropriation for the diplomatic and consular service of the United States for the fiscal year 1889. The report is at the desk. I ask that it be laid before the House. I desire to move that the report be agreed to and that the House insist on its disagreement to the amendment numbered 16, and ask a further conference with the Senate on that amendment.

The conference report, signed by Representatives Perry Belmont, James B. McCreary and Wm. W. Morrow, managers on the part of the House, and Senators Eugene Hale, W. B. Allison and Jas. B. Beck, managers on the part of the Senate, was read.

The following statement was subsequently furnished to accompany the report:

The managers on the part of the House submit the following statement to accompany the report:

The principal amendments made by the Senate, in which the House managers concurred, change the rank of several of the foreign missions, without increasing the salaries, and provide for two additional Secretaries of Legation. The conferees have been unable to agree upon the provision for an expedition to explore and report upon the resources of the Congo basin, and ask for a further conference.

PERRY BELMONT,
JAMES B. McCREARY,
WM. W. MORROW,

Managers on the Part of the House.

Mr. ADAMS.— Will the gentleman from New York (Mr. Belmont) state what the sixteenth amendment is?

Mr. BELMONT.— The sixteenth amendment provides for an appropriation of $25,000 for a commission to explore the Congo basin and report upon its products and commercial capabilities. The Senate insists upon that amendment; we desire to insist upon our disagreement, and ask a further conference.

Mr. BURROWS.— Is there any statement furnished by the House conferees in connection with this report?

Mr. BELMONT.— I can give it verbally.

Mr. BURROWS.— But I understood this was a conference report.

Mr. BELMONT.— It is the conference report as agreed to by the Senate.

Mr. BURROWS.— But there are certain amendments of which we desire to know the effect.

Mr. BELMONT.— I will state to the House —

Mr. BURROWS.— The rules require that a written statement be submitted by the House conferees to accompany the conference report.

Mr. BELMONT.— Do I understand the gentleman insists upon a written statement?

Mr. BURROWS.— The rules require it. I will, however, waive the demand if the gentleman will state the matters in issue between the two Houses.

Mr. RANDALL.— I ask that the gentleman from New York have leave to file that statement hereafter.

Mr. BELMONT.— I will repeat the statement which I made at the time of the ordering of the conference. There have been comparatively few and unimportant changes made by the Senate. The amendments we have agreed to raise the rank of Ministers resident to that of Envoys without increase of salaries. There are some changes by the Senate in regard to Mexican consulates. Some of these strongly commended themselves to the House conferees, particularly the transfer of the Consulate-General from Matamoras to Neuvo Laredo. But others could not be adopted without doing injustice, and the result of the conference was that all the proposed changes were abandoned, the Senate conferees desiring to either have all the changes made or none. So, in this respect, the bill is now as it passed the House.

Mr. ADAMS.— Has the House considered these amendments, or were they by unanimous consent sent to conference?

Mr. BELMONT.— They were sent to conference by unanimous consent, after a statement such as I have already made in reply to the gentleman from Indiana (Mr. Holman).

Mr. ADAMS.— Did the House consider the Senate amendments?

Mr. BELMONT.— After a statement made in the House they were sent to a conference committee.

The question was taken on the adoption of the conference report, and it was adopted.

Mr. BELMONT.— In accordance with the suggestion of the gentleman from Pennsylvania (Mr. Randall), I will add a written statement to accompany the report.

DEBATE CONTINUED, JULY 2, 1888.

SECOND CONFERENCE REPORT.

Mr. BELMONT presented a report upon the second conference on the consular and diplomatic appropriation bill.

Mr. BELMONT.— The bill has already been agreed upon with the exception of one amendment.

The report was read.

The following statement, submitted under the rules, was read:

The managers on the part of the House submit the following statement to accompany the conference report on the disagreeing votes of the two Houses on the diplomatic and consular appropriation bill. As indicated by the previous report an agreement was reached upon all points of difference except upon the following amendment inserted by the Senate.

"For salaries and expenses of a scientific expedition of three persons, to consist of one officer of the army or navy competent for such service, a geologist and mineralogist, and a naturalist, to visit and report upon the commercial resources of the Upper Congo basin, its products, its minerals, its vegetable wealth, the openings for American trade, and to collect such information on the subject of that country as shall be thought of interest to the United States, $25,000; and the President may fix the salaries and compensation of the members of this commission at such sum, not exceeding $6,000, as he may deem proper; and said commission shall expire on the 30th day of June, 1889."

The Senate has receded from that amendment, and the House conferees have agreed, as a compromise, to an appropriation of $4,000 for the salaries and expenses of a commercial agent, to be stationed at Boma, in the Lower Congo basin with authority to report upon the resources of the territory.

PERRY BELMONT,
JAMES B. McCREARY,
WILLIAM W. MORROW,
Managers on the Part of the House.

Mr. BELMONT.— The House conferees considered it to be their duty to oppose firmly the Senate amendment of $25,000 for an exploring expedition to the Congo region, on the ground that such expenditure would be unnecessary and fruitless; and inasmuch as according to the Senate provision the commission would expire on June 30, 1889, even should such an expedition be undertaken, the time would not be sufficient to produce the result desired. After two conferences on this subject the House conferees agreed to a compromise. Considering that there are American interests to be protected in this region and that American missionaries are there at present, it seems important to have an American representative there. The other powers are represented by commercial agents to the Congo Free State. We could not send a Consul because the peculiar nature of the Government of the Free State would not permit us to send a Consul who could be received. We, therefore, have followed the example of other governments, and propose to send a commercial agent. The salary is placed at $4,000, because the duty of the commercial agent would, according to the provision, be to report upon the resources of that comparatively unknown region; and the expenditures necessary for obtaining information would certainly make it important he should receive a sufficient salary.

The Senate wished, I believe, to place the salary at a much higher rate. I notice when the report was made in the Senate the sum here provided was considered inadequate. Still we feel confident $4,000 will be sufficient. I trust the House will so consider it, and that the report will be adopted.

Mr. McCreary addressed the House, and on his conclusion, Mr. Belmont moved the adoption of the report.

The motion was agreed to.

LETTER TO THE RICHMOND COUNTY DEMOCRATIC CLUB.

NO DISTINCTLY FREE TRADE PARTY IN THIS COUNTRY.

Thomas W. Fitzgerald, Esq.:

Dear Sir.— I acknowledge receipt of your invitation to address a ratification meeting of the Richmond County Democratic Club to be held on the 28th instant.

I regret extremely that I shall not be able to leave Washington on that day, because, although I shall not be a candidate in the Congressional campaign, I would have liked to have availed myself of this opportunity of giving evidence of my hearty support of the candidates for President and Vice-President nominated by the Democratic party, and of the principles under which we are enlisted. Not only does the creditable record of Mr. Cleveland's administration call for approval on the part of all who are interested in the welfare and progress of the country, but his re-election is imperatively demanded in order to secure a continuation of the prosperous condition of our public affairs. Democrats will naturally rally to his support, since he so fitly represents the principles of the party, and has so courageously presented the issue in the challenge he has thrown down to our opponents.

The first Democratic platform, adopted by a Congressional caucus at Philadelphia in 1800, the year when Thomas Jefferson was elected to be President, demanded free commerce with all nations. To-day there is no free trade party in this country, since both the great political parties favor the maintenance of tariff taxation, and we derive from that source the greater part of our national revenue. On the other hand, it would insult the intelligence of the country to declare that our present system of tariff taxation is satisfactory to the people.

The decline of our merchant marine and the loss of our proper trade relations — outstripped in foreign markets as we are by our great commercial rival England — are in themselves sufficient reasons for Congress to make a change in our tariff laws. The Mills bill simply lowers the rate of tariff taxation from about forty-seven to about forty-two per

cent. It is not a free trade measure but is a step directly in accord with the growing needs of our fiscal and commercial system, namely, a reduction of the surplus and an increase in our foreign trade.

During the administration of Mr. Arthur, a Republican Executive negotiated, and a Republican Senate ratified, a series of commercial treaties with Mexico, Spain and South America, of which the avowed object was to obtain foreign markets for American products. By the reciprocity treaty with Mexico alone were twenty-eight articles to be admitted into this country free of duty. But the Democratic House refused to pass the enabling act to carry this treaty into effect. In other words, the Republican party in politics to-day has for its slogan the misleading cry of "home markets," while the very last act of the Republican party in power was to attempt to obtain through the treaty-making power and through radical steps an extension of our foreign markets. But the House of Representatives, then controlled by the Democratic party, interposed; and it is still to-day Democratic policy that any change in our fiscal system shall be made through the representatives of the people, in the lower House of Congress, where full public discussion can be had, and where the interests of each section and of each Congressional district can be properly presented for consideration. Nor has our President, as did Mr. Arthur, attempted to use the treaty-making power to bring about changes in our commercial system. Mr. Cleveland, placing himself in line with his party in the House, has adopted the wise, patriotic and Democratic policy of leaving to the representatives of the people the regulation of the people's taxation. Hence we enter upon the pending political controversy, confident that the moderate and courageous course of the Democratic majority in the House, and of the Democratic Executive at its head, will meet with the approval which honesty and firmness of purpose never fail to secure. Thanking you for your invitation, and again expressing my regret at my inability to accept it, believe me to remain,

Very sincerely yours,

PERRY BELMONT.

HOUSE OF REPRESENTATIVES,
WASHINGTON, *June* 23.

RETIREMENT FROM CONGRESS.

RESOLUTION OF THE DEMOCRATS OF THE FIRST CONGRESSIONAL DISTRICT.

The representatives of the Democratic party of the First Congressional District of the State of New York, in Convention assembled, having learned with regret that the Hon. Perry Belmont, who has been four times elected their representative in Congress, declines a renomination, deem it due to themselves and to him to place on record their appreciation of his services during the past seven years. Therefore,

Resolved, That the thanks of this Convention be and are hereby tendered to the Hon. Perry Belmont for the conspicuous ability and fidelity with which he has discharged his duties as Congressman. The prominence which has been accorded to him in the affairs of the nation has been at once a compliment to the district he has represented and a tribute to his own capacity and zeal in the public service. This Convention desires further to recognize the fact that, while necessarily engaged in matters of national import, as chairman of the Committee on Foreign Affairs, Mr. Belmont has still been mindful of the local interests of his district, and has been their efficient guardian and promoter. The Democratic party of the First district of New York, therefore, expresses its unqualified regret that Mr. Belmont should have declined for the present to continue in their active service.

Resolved, That a copy of these resolutions, duly signed by the chairman, be transmitted to Mr. Belmont.

(The Washington Star, June 28, 1888.)

Mr. Belmont, Chairman of the Committee on Foreign Affairs, was asked in the committee-room this morning if it was true he had determined not to be a candidate for renomination.

He replied that it was, and added that one of the chief regrets he felt in coming to this determination was the severance of the pleasant relations which had existed between the members of the committee and himself. They had considered and reported on a number of important measures, upon many of which there was room for differences of opinion but in every instance their action had been unanimous. It had not been a divided committee on any question during the present Congress, although comprising amongst its members such pronounced Republicans

as Messrs. Phelps, Hitt and Morrow. Mr. Belmont says his determination is final, not to be reconsidered.

(New York Sun, Washington correspondence, June 24, 1888.)

In talking to The Sun correspondent to-day about his determination to retire from Congress at the end of his present term, Mr. Perry Belmont said he was sorry to see in The Sun's Washington dispatches the statement that he regarded his position as Representative of the First New York district as "an expensive luxury." That statement, he says, he does not countenance, as he had many friends there in both parties, and proposed to continue his personal and political association with the district. He intended to continue to reside and vote in Babylon, and had no intention of seeking political affiliations elsewhere. There was no mystery at all about his retirement; he had had eight years of Congress, and simply desired a rest.

In reply to a question as to whether he would apply for a foreign mission, Mr. Belmont said no; his purpose was to interest himself actively in our own politics, and in the success of the Democratic party in the coming campaign.

Genuine regret is felt by many of the leading Democrats in both the Senate and House at Mr. Belmont's contemplated retirement, and several have urged him to reconsider his decision; but he will stick to it.

(New York Commercial Bulletin, June 23, 1888.)

In the contemplated retirement of Mr. Perry Belmont from Congress New York will lose a Representative who has rendered efficient service to her business interests. As chairman of the Foreign Affairs Committee, and in his capacity as a member of the House, Mr. Belmont has given his vote and influence to a course of legislative policy which the business men of the metropolis may well approve, and has very often served them faithfully when sound principles and practical legislation were in need of a champion. His influence upon foreign as well as domestic affairs has been wholesome and beneficial.

(New York Star, June 23, 1888.)

We trust that Mr. Perry Belmont will yet reconsider his determination to withdraw from Congress at the expiration of his present term. His service has been exceptionally arduous and beneficial to the country, and, as chairman of the Committee on Foreign Affairs, he has promoted some of the most important reforms in the public service, such as the rearrangement of our consulates with the view to the prevention of losses to the Treasury through false invoices.

(Brooklyn Eagle, June 23, 1888.)

Congressman Belmont's positive withdrawal as a Congressional candidate is a great surprise to the lower order of politicians on Long Island. Their faces wore a funereal appearance yesterday as they asked, "What's the matter?" There is nothing the matter. Leaders like Cord Meyer and John H. Sutphin knew long ago that Mr. Belmont would retire, and the Eagle announced the fact the day after the Democratic State Convention. Mr. Belmont has had four terms. The same honor was never conferred on any citizen in the whole history of the district. The last two nominations Mr. Belmont won by sheer fighting. The last election was one of the bitterest ever recorded, and neither Mr. McCormick nor Mr. Belmont desired a repetition of it. The man who succeeds Mr. Belmont will have to be industrious to give his constituents the same satisfaction.

IMPRISONMENT OF JOHN CURTIN KENT.

July 6, 1888.

[CONTINUED FROM MAY 24, 1888.]

Mr. BELMONT, FROM THE COMMITTEE ON FOREIGN AFFAIRS, TO WHOM WAS REFERRED THE RESOLUTION ADOPTED BY THE HOUSE ON THE 24TH OF MAY LAST (INTRODUCED BY MR. BELMONT), INSTRUCTING THEM TO INQUIRE INTO AND REPORT UPON THE FACTS IN THE CASE OF JOHN CURTIN KENT, SUBMITTED THE FOLLOWING REPORT:

In June, 1883, John Curtin Kent, a naturalized citizen of the United States, under the name of John Curtin, was jointly charged with conspiring with Thomas Gallagher, Bernard Gallagher, Whitehead Annsburg, and Charles Wilson to murder, by the use of dynamite, persons unknown. Bernard Gallagher and Annsburg were acquitted; Thomas Gallagher, Curtin and Wilson were convicted and sentenced to imprisonment for life.

The facts established against Curtin on the trial were that he was acquainted with Thomas Gallagher in this country; that he took a letter of introduction from Gallagher to one Gilfeather, in Glasgow, Scotland, who procured for him a brief employment, as a machinist, in putting an engine in place on one of the Government war vessels then in course of construction in the shipyard of Messrs. Napier, Glasgow; that whilst in Glasgow Curtin received a letter from Gallagher, who sent him £5, and invited him to come to London; that he went to London, and sent a letter to Gallagher's hotel informing Gallagher of his arrival and where he was to be found, which letter led to his own arrest, Gallagher being already in custody when it was written; and that there was found upon him a paper written by Gilfeather, directing him how to find the "war ships," upon one of which he had been employed.

This was all the evidence against him. No dynamite was found upon Curtin, or in any place where he had lived. A statement made to a detective by a brother of Gallagher, that Curtin had endeavored to incite Gallagher to do something which he (Gallagher) had refused to do, was admitted in evidence as against Gallagher alone, but, being laid before

the same jury which tried Curtin, is believed by his solicitor to have turned the scale against him and to have procured his conviction.

Curtin's explanation of his relations with Gallagher is that he made his acquaintance as a physician; that his own journey to Europe was made without any knowledge that Gallagher also intended going, and was undertaken for the benefit of his health and to visit relatives in Ireland and England. That he did pay such visits was established. His apparent *alias* is explained by his friends, who say that Curtin was his mother's name, that his full name was John Curtin Kent, and that it is quite common in Irish families to call men by their mother's name to distinguish them from relatives of the same Christian and surname. English criminal jurisprudence does not permit an accused person to testify in his own behalf. The fact that Curtin was a naturalized citizen of the United States was not made known in any way at the trial of the case. Curtin explains this as follows:

> I did not apply to the United States Legation before or during my trial, for the reason that an American lawyer, named Tracy Gould, whom I supposed was attached to the Legation, came to see me, and advised me about my case. I wrote United States Minister Lowell, stating my case. I received an answer from Mr. Hoppin, Secretary of the Legation, stating that Mr. Lowell was absent on leave, and that it was not in his power to interfere in my case, unless under instructions from the State Department. No one from the Legation came to see me. I believe if my case had been taken up by the United States representative that I could have proven who I was, where I had lived in the United States, and my good character, the reason for my coming to England, and thereby have secured my acquittal.

The records of the State Department show that no report on the facts of Curtin Kent's trial and conviction was made to that department by the United States representatives in London. It was first brought to the attention of the department by Kent's relatives in this country in December last. The United States Consul-General in London was immediately instructed to make inquiries. His dispatch in response is appended to this report.

The committee have been furnished with the original certificate of naturalization of Kent (or Curtin), confirming his statement to the United States Consul-General as to his citizenship. A copy is printed herewith.

The committee have also had placed in their hands properly executed affidavits of William J. Kent, the prisoner's brother, James Hamilton Young, James Lee, M. J. Meade, P. Ryan, and Thomas Hunt, all of Brooklyn and New York city, corroborating his statements as to the circumstances under which he became acquainted with Dr. Gallagher,

and the reasons for his visit to England; all bearing testimony to his good character as a citizen of the United States, and to his not having been connected with any organization of dynamiters or Fenians. The prisoner himself says:

I never belonged to an organization of any kind, except, while I was in Philadelphia, I was a member of the Third Regiment National Guard.

Your committee, having diligently inquired into the facts of this case, now report them to the House in conformity to the resolution of instructions referred to them. They express their deep sympathy for Kent. They are of opinion that these facts should have been presented at the trial, and that they would have been presented had not the accused erred in supposing that his American citizenship was known and that this Government was acting on his behalf, and that if so presented they might have had great weight with the jury. Consul-General Waller states that Curtin's conviction, "considering the weakness of the testimony against him, was a singular success for the prosecution."

The fact that the naturalization of Kent was not known at the time of his trial to the American authorities is evidence of the propriety of the recommendation made by President Cleveland in his message of 1884, and repeated in 1885, in favor of the establishment of a central bureau of record of the decrees of naturalization granted by the various courts of the United States. The interest which the present administration has taken in the matter of citizenship is shown by the letters of the President and of the Secretary of State in the case of Gallagher, hereto appended.

REPORT OF CONSUL-GENERAL WALLER.

UNITED STATES CONSULATE GENERAL,
LONDON, *March* 17, 1888.

Sir.—Referring to letter of instruction No. 131, dated December 22, 1887, directing me to visit John Curtin Kent in prison as soon as I could obtain permission to do so to hear whatever statements he had to make and especially to ascertain if he really was a citizen of the United States, and if so, why he did not look to our Government for protection at the time of his trial, I have the honor to report that I expected to see Kent on the 25th of February, the day on which the governor of the prison wrote me that Kent was entitled to receive a visit, but on application for admission on that day I was directed to address the home office in regard to the object of my proposed visit.

This I did, stating in substance the purport of the instructions I had received from the State Department, and on the 7th of March I was notified by the directors of the convict prison that the governor of Chatham Prison had been instructed to permit me and my secretary to have an interview with Kent. Accordingly, on the 14th of March, I visited the prison and was courteously

received by Captain Harris, the governor, and shown by him and other prison officials every possible attention. The prisoner Kent was brought into a room where, in the hearing and presence of an officer, my secretary, and myself, in answer to my questions, he made the following statement:

"My name is John Curtin Kent; I am thirty-nine years old; was born in Fermoy, county of Cork, Ireland. My father and mother live there now. I have two brothers in the United States — Pierce Kent, who lives in Williamsburgh, and William Kent, who lives in New York. I landed in New York on the 23d of May, 1873. I lived five years in Philadelphia and five years in New York city. I lived in Clairfield street, Falls of Schuylkill, Philadelphia; boarded there with Thomas Woods and worked for George Blabon four years as an engineer. Mr. Blabon was an oilcloth manufacturer. I worked one year before at the Centennial buildings for Mr. Dobbin, a contractor. I lived in New York for three years at 301 East Fifty-ninth street, with John Murphy. I worked for Mr. Youngs as a machine fitter, and Ryan Bros., in Sixty-third street, as an engineer. I lived for about two years in One Hundred and Nineteenth street with Mr. Hennessey, since deceased. I was never married.

"I am a naturalized citizen of the United States. I left my papers at 301 East Fifty-ninth street, with John Murphy. My brother lived there and I think he has now my papers. I declared my intention to become a citizen in the Court of Common Pleas, Philadelphia, on the 25th of July, 1875. I took out my second papers on the 20th October, I think in 1880, in the Superior Court in New York, as John Kent. My witness was Michael O'Brien, of 244 East Fifty-seventh street, I think. I had only one witness. I was twenty-four years of age when I went to America. I was never arrested in the United States; no policeman ever had his eyes on me. I left the United States on the 6th of February, 1883. I landed at Queenstown on the 16th of February, 1883; went directly to my home in Fermoy; saw my father and mother and remained with them until the 22d February. From there I went to Glasgow and remained there until 2d of March following; then went to Blackburn, Lancashire, to see my sister; with her I remained a week and returned to Glasgow and there stayed until the 5th of April. Nobody was with me during the time.

"I knew Dr. Thomas Gallagher in the United States; I got acquainted with him in Williamsburg, I think, in 1881. He was a doctor there. I was recommended to him by a Mr. Smith, of Harlem, on account of my health. I was suffering from liver complaint. I saw him several times about it. He knew I was coming over to Ireland. He gave me a letter of introduction to Dennis Gilfeather, or Killfeather, in Glasgow. I presented it. It was simply a letter asking him to do what he could for me while I was in Glasgow. He got me work with Mr. Napier for a week in putting in an engine in a government ship. I did not know when I left New York that Dr. Gallagher expected to come to England. I was surprised to get a letter from him, dated April 2, 1883. Don't know where the letter is now. He asked me in the letter how I was getting on, if I was at work, and if I wanted money; he told me to let him know and he would let me have it. I wrote back I was out of work, short of money, and in debt, and asked him to let me have money enough to pay my debts and get back to the United States. He sent £5 and wrote if that was not enough to pay my debts and take me back, to come to London and he would give me what I wanted. I came to London, stopping at Blackburn on the way a few hours and saw my sister. I got to London on the 5th of April and found out in the evening that Gallagher had been arrested that very day. I did not see Dr. Gallagher at all on this side of the ocean until after he was arrested.

"When I got to London, on the 5th, I went to 12 Upper Woburn place; was taken there by a runner at the station, of whom I inquired for a lodging-place. He was not sent to me. I was not directed in advance by anybody where to go. Gallagher did not know I was coming. I wrote Gallagher a note that I was at 12 Upper Woburn place and would like to see him. I sent letter to his hotel, the Charing Cross Hotel, by post. The doctor told me in the letter received at Glasgow where he was stopping in London. I wrote the note to him myself. I got no answer, because he was arrested before I sent letter. I did not go with letter, because I did not know where the hotel was. This note the detectives got hold of and showed it at my trial. All it said was I had arrived in London, was stopping at 12 Upper Woburn place, and wanted to see him at his earliest convenience, as I was only stopping at this place temporarily. The only other paper the Government had at my trial was some directions I got in Glasgow how to go from my place, 36 West Milton street, to Govan, where a government ship was building, on which I worked for a week, as stated before. The paper of directions was written at the dictation of some man, whose name I do not know, in presence of Gilfeather and three or four others. All the paper said was 'take tramways to Paisley Road, thence steam tramways to Govan. Inquire for the warships.' No dynamite was ever found on me, with me, or in any place in which I had lived. Dr. Gallagher and Henry Wilson were arrested together. In Wilson's place I understood dynamite was found. I never knew or saw Wilson until after his arrest. A detective testified on my trial that a brother of Dr. Gallagher, who was tried with us and acquitted, told him (the detective) in Glasgow that another brother of Dr. Gallagher told him that he would not do in London what I wanted him to do. This testimony was admitted against Dr. Gallagher only, but it operated against me with the jury. I never saw Dr. Gallagher or either of his brothers on this side until I was arrested. Yes; my lawyers had full opportunity to see me before my trial, and did see me once at Milbank Prison. I told them my story, except about the paper of directions of which I have spoken.

"While I was working on war steamer in Govan the ship was taken across the Clyde to Queen's docks. I was in her when she crossed. I left this work because of a dispute about my pay. I never talked with anybody before leaving the United States about dynamite. I never belonged to any organization of dynamiters or Fenians. I never belonged to an organization of any kind, except while I was in Philadelphia I was a member of the Third Regiment, National Guard. I am innocent of the charge for which I have been convicted. I did not apply to the United States Legation before or during my trial, for the reason that an American lawyer, named Tracy Gould, whom I supposed was attached to the Legation, came to see me, and advised about my case. After my conviction I wrote to United States Minister Lowell, stating my case. I received an answer from Secretary of the Legation, stating that Mr. Lowell was absent on leave, and that it was not in his power to interfere in my case, unless under instructions from the State Department. No one from the Legation came to see me.

"I believe if my case had been taken up by the United States representative that I could have proven who I was, where I had lived in the United States, my good character, the reason for my coming to England, and thereby have secured my acquittal. Yes; I am well, and have been well nearly all the time during my imprisonment. I can not say I have no complaints to make against the prison."

(As objection was suggested by the prison official present, no further inquiries were made in regard to Kent's prison experience.)

In conclusion, I beg to suggest that the fact of Kent's American citizenship can easily be determined by the records of the courts of naturalization to which

he refers, and that the conviction of Kent, whether guilty or not, considering the weakness of the testimony against him (which I have had the opportunity to read), was a singular success for the prosecution.

The necessary expenses in connection with this visit were $12.28, which will appear in my next accounts.

I am, sir,

Your obedient servant,

THOMAS M. WALLER,

Consul-General.

Hon. GEORGE L. RIVES,

Assistant Secretary of State, Washington, D. C.

H. M. Convict Prison,
Chatham, *March* 20, 1888.

J. 465, John Curtin.

Sir.— With reference to your interview with the above-named prisoner on the 14th instant, I beg to inform you that he desires that his statement to you on that occasion may be corrected as follows:

(1) That he worked for Messrs. Ryan Bros., stonecutters, Sixty-fourth street, between First and Second avenues, New York.

(2) That Thomas Gallagher was staying at Greenpoint instead of Williamsburg.

I am, sir,

Your obedient servant,

W. E. V. HARRIS,

Governor.

T. M. WALLER, Esq.,

Consul-General of the United States of America, 12 *St. Helen's Place, London, E. C.*

United States Consulate-General,
London, *December*, 6, 1887.

Sir.— Referring to letter of introduction No. 126, of October 12, 1887, inclosing letter from Hugh J. Carroll, of Pawtucket, R. I., relative to John Curtin Kent, now serving a sentence in an English prison, I have the honor to state that I have had an interview with the solicitor who defended him, and from him ascertained that in May, 1883, Kent, under the *alias* of John Curtin, was jointly charged with Thomas Gallagher, Bernard Gallagher, Whitehead Annsburgh and Charles Wilson with conspiracy to murder, by the use of dynamite, persons unknown; were examined at Bow Street Police Court, in London; committed for trial, and in the month following were tried together at a special session of the Central Criminal Court, Lord Chief Justice Coleridge, Lord Justice Brett, Master of the Rolls, and Mr. Justice Grover presiding.

They were defended by Sir Edward Clarke, Q. C.; J. J. Sims, H. J. Brown, W. R. B. Briscoe, Q. C.; Keith Frith, M. W. Mattinson, and W. T. Wait, distinguished members of the English bar.

The trial lasted several days. The jury found all but Bernard Gallagher and Annsburgh guilty, and the convicted were severally sentenced for life. The testimony taken against the prisoners covers about one thousand folios, a copy of which could be obtained at an expense of about £30. The solicitor assured me that the Government gave him and his associates every opportunity to prepare and present the case for Curtin, and that the trial was, in his opinion, in every respect a fair and impartial one. The solicitor expressed the belief that while Curtin may have known about the conspiracy, that he was not an active party to it, and that he was convicted on account of the statements implicating him, made by one of the accused to a government detective.

The solicitor did not suppose Curtin was an American citizen. He made no such claim at the time of the trial. I have addressed a letter to the governor of the jail at Chatham, informing him of the request of the friends of Curtin that I should visit him, talk with him, and report his condition to them, and asking him for permission to do so. I understand that the department only intends that I should make discreet inquiries and report the result, without assuming any official authority in the matter, and I shall govern myself accordingly.

I am, with respect,

Your obedient servant,

THOMAS M. WALLER,

Consul-General.

Hon. GEO. L. RIVES,

Assistant Secretary of State, Washington, D. C.

[CURTIN-KENT'S NATURALIZATION CERTIFICATE.]

UNITED STATES OF AMERICA,
State of New York, City and County of New York:

Be it remembered that on the 18th day of October, in the year of our Lord 1880, John Kent appeared in the Superior Court of the city of New York (the said court being a court of record, having common-law jurisdiction and a clerk and seal), and applied to the said court to be admitted to become a citizen of the United States of America, pursuant to the directions of the several acts of Congress of the United States of America. And the said applicant having thereupon produced to the court such proofs, and having made such declaration and renunciation, and having taken such oaths as are by the said acts required, it was ordered by the said court that said applicant be admitted to become a citizen of the United States of America, and he was thereupon admitted accordingly.

In testimony whereof the seal of said court is hereto affixed this 18th day of October, 1880, in the one hundred and fifth year of the independence of the United States.

By the court,

[Seal.] W. P. BOESE,

Clerk.

THE CASE OF DR. GALLAGHER.

26 COURT STREET, BROOKLYN, N. Y.,
June 30, 1888.

Sir.— Inclosed please find copy letter received from His Excellency President Cleveland in reference to his intervention in behalf of Dr. Thomas Gallagher, now confined in one of Her Majesty's prisons in England.

Very respectfully,

PHILIP J. O'HANLON.

Hon. PERRY BELMONT.

[*The President's Letter.*]

EXECUTIVE MANSION,
WASHINGTON, *March* 17, 1887.

Dear Sir.— I inclose a note just received from the Secretary of State, by which you will see that prompt action in the line of the wishes of yourself and other friends of Dr. Thomas Gallagher has been taken and in such manner as affords the best promise for successful mediation in his behalf.

Mr. Bayard informs me that there is no record in the State Department of any correspondence heretofore had in the matter, and I hope very soon to be able to announce the termination of Dr. Gallagher's imprisonment.

Yours truly,

GROVER CLEVELAND.

PHILIP J. O'HANLON, Esq.,
Brooklyn, N. Y.

[*Mr. Bayard to Mr. Phelps.*]

DEPARTMENT OF STATE
WASHINGTON, *March* 11, 1887.

Sir.— The President informs me that he has been earnestly appealed to by a number of worthy and influential citizens of Brooklyn — among them the Mayor of the city — to procure, if possible, an exercise of royal clemency in the case of Dr. Thomas Gallagher, a naturalized citizen of the United States, formerly and for many years a resident of Brooklyn, but who is now undergoing judicial sentence in England, imposed some years ago, for an offense political in its character.

The prisoner is represented to be a man of excellent standing in his profession as a physician, and in his domestic life to have endeared himself to a large circle by his personal virtues.

An aged mother and invalid sister are dependent upon him for their sole means of support, and his case thus presents many features that appeal to natural sympathy.

I have no information that would justify any suggestion of doubt as to the fairness of his trial or justice of his sentence; but as this is the year of grace and jubilee — in which generosity and charity will fill the hearts of British subjects and their Queen — I feel that I may yield to the importunity of the prisoner's friends and family and bring the case to your attention unofficially.

If, by Dr. Gallagher's pardon, anger should be lessened and hostility to Her Majesty's Government disarmed, we should all be gratified; and when to that is superadded the joy to the wide circle of his personal friends and relatives here, it would seem that the act would indeed be "twice blessed," and that in giving liberty to this captive no danger could "rush upon the State."

If, therefore, unofficially, you could find a proper occasion to suggest the general purport of this note to Her Majesty's Minister of Foreign Affairs, I hope you will not lose the opportunity, for the act of clemency would, I believe, bear fruit.

Yours very truly,

T. F. BAYARD.

EDWARD J. PHELPS, Esq.

TEXT OF THE RETALIATION BILL REPORTED TO CONGRESS.

(New York World, Interview.)

WASHINGTON, August 30.— Chairman Belmont, of the House Foreign Affairs Committee, returned to Washington this morning, and at a meeting the subcommittee of three — Mr. McCreary, of Kentucky; Judge Chipman, of Michigan, Democrats, and Mr. Hitt, of Illinois, Republican — charged with the consideration of the President's message on retaliation, reported an act in accordance with the President's recommendations. Mr. Hitt desired to amend by providing that the President by proclamation should declare that article 29 of the treaty of 1871 was terminated, but Mr. Belmont, with the other Democratic members, objected that this might complicate and delay the operation of the act, in that by the terms of the treaty it was provided that two years' notice should be given of the termination of certain clauses of the treaty, and this provision of the act might lead to a discussion of when the article was actually terminated. The bill as adopted was as follows:

A BILL to empower the President to carry out the purposes of an act to authorize the President of the United States to protect and defend the rights of American fishermen, American trading and other vessels in certain cases and for other purposes, approved March 3, 1887.

Be it enacted, etc., That whenever the President may deem it his duty to exercise any of the powers given to him by an act, entitled "An act to authorize the President of the United States to protect and defend the rights of American fishing vessels, American fishermen, American trading and other vessels in certain cases and for other purposes," approved March 3, 1887, it shall be lawful for the President in his discretion by proclamation to that effect, to suspend in whole or in part the transportation across the territory of the United States in bond and without the payment of duty, of goods, wares and merchandise imported or exported from any foreign country from or to the British dominions in North America.

§ 2. That whenever the President shall be satisfied that there is any discrimination whatever in the use of the Welland canal, the St. Lawrence river canals, the Chambly canal, or either of them, whether by tolls, drawbacks, re-

fund of tolls or otherwise, which is or may be detrimental to the interests of the United States or any of its citizens, it shall be lawful for the President in his discretion to issue a proclamation to that effect, whereupon there shall be collected a toll of twenty cents a ton upon every foreign vessel and her cargo passing through either the Sault Ste. Marie canal or the Saint Clair Flats canal, and the Secretary of the Treasury may authorize and direct any of the customs officers to collect the tolls levied under this act, or the President may in his discretion, when he is satisfied there is any such discrimination, prohibit the use of said canals to any such foreign vessel. The President, when satisfied that such discrimination has ceased, may issue his proclamation to that effect in his discretion, whereupon the tolls authorized by this act shall no longer be collected, and said prohibition if ordered shall cease.

§ 3. That the Secretary of the Treasury is authorized to make any regulations needful to carry this act into effect.

The Chairman gave notice that he would call up the bill for action on Saturday next, but subsequently, at the request of Mr. Hitt and other Republican members of the committee, consented that its consideration should be postponed until Monday. It is understood that the bill was framed at the Treasury Department and is exactly in accord with the wishes of the President. No doubt is felt that it will be promptly passed in the House, perhaps without opposition from the Republican side. No minority report was made to-day, and Chairman Belmont expresses the hope that in this, as in all other matters thus far before the committee, partisan considerations may not prevail in its discussions. Mr. Belmont was asked this evening for the history of the Retaliation Act of 1887.

"The Retaliation bill reported by our committee in 1887," he said, "was far stronger in terms and application than that finally adopted and which is now on the statute book. The bill which I then introduced and reported to the House, and which was passed by the House with only one dissenting vote, was as follows, after the preamble stating the reasons for its adoption:

§ 2. That the President may also, by such proclamation, forbid the entrance into the United States of all merchandise coming by land from the provinces of British North America, and may also forbid the entrance into the United States of the cars, locomotives, or other rolling stock of any railway company chartered under the laws of said provinces; and upon proof that the privileges secured by article 29 of the treaty concluded between the United States and Great Britain on May 8, 1871, are denied as to goods, wares and merchandise arriving at the ports of British North America, the President may also, by proclamation, forbid the exercise of the like privileges as to goods, wares and merchandise arriving in any of the ports of the United States; and any person violating or attempting to violate the provisions of any proclamation issued under this section shall for-

feit and pay to the United States the sum of $1,000, and shall be guilty of a misdemeanor, and upon conviction thereof shall be liable to imprisonment for a term not exceeding two years.

"The bill was framed at the suggestion of Judge Wharton, Law Adviser of the State Department. Its stringent provisions somewhat startled Western and Southern Democrats lest the President might not desire such powers. I took a delegation of them to the White House, and to us the President expressed substantially the same views as in his recent message. He believed, if retaliation was to be resorted to, in the advisability of a comprehensive act giving him power of retaliation which would be clearly defined and likely to be effective in securing the results sought."

"In reporting the bill did you consider the question of whether article 29 of the treaty was terminated with the fishery articles?"

"As there was a doubt upon that point we decided upon a measure which did not directly bring it in question. The articles give the privilege of transit for Canadian exports and imports across our territory. Canada, without reference to whether the article was in force or not, had refused transit in bond across its territory to fish caught in American vessels, upon the plea that the provisions of the treaty of 1818, providing that American vessels should enter Canadian ports solely for the purpose of shelter and of repairing damages therein, of purchasing wood and of obtaining water, forbade our vessels bringing their catch into her Canadian ports. This practically precluded us from any of the reciprocal advantages of the treaty, and as Canada had thus evaded the provisions of article 29 we sought the same result by prohibiting the entrance into our territory of any Canadian cars or other rolling-stock. This would effect the same end as the recommendations of the President's message, even though article 29 was still in force."

"Do you agree with the President's view that it was terminated with the fishery articles?"

"Entirely. There is no controversy among Democrats of the entire validity of the President's argument."

"The stringent provisions of the Retaliation Act passed by a Democratic House in 1887 were antagonized by a Republican Senate?"

"Yes. It looked very much as if the Senate objected that the act proposed by us would injure some of our railroads. This I believe is the real reason now of the virulent opposition of certain Senators and Mr. Blaine and other Republican leaders to the recommendations in the President's message. As is well known, by far the larger part of Canadian exports and imports from and to England pass over the Vermont

Central and that part of the Grand Trunk traversing Maine from Canada border to Portland. The Republican majority in the Senate, moreover, may be generally relied upon to do all in its power in behalf of the roads. They absolutely refused to accept the bill as it passed the House and adopted the partial and ineffective measure that is now the law."

"I was one of the conferees on the part of the House, and all the Democratic conferees reported in favor of insisting upon the disagreement of the House to the Senate amendment and upon its own stringent bill. But it was during the closing days of the session, and in view of the obstinate position of the Senate there seemed danger that no retaliatory act at all would be passed unless we yielded. Therefore, the House finally agreed to the Senate amendment when it could do no better. You will observe that it went to the President so late that his signature is dated March 3, only twenty-four hours before the Forty-ninth Congress dissolved. It was an emasculated act, contrary to the wishes and advice of the administration, and it was a Republican Senate which opposed the President and a Democratic House in seeking for really effective measures of retaliation for outrages on the part of the Canadian officials, apparently with the consent of the British Government.

"To confine retaliation to the closing of our ports to Canadian vessels is only in the interest of the few warehousemen and the owners of fishing vessels on the New England coast. The Foreign Affairs Committee knew then, as Mr. Ford has now shown by the investigations of his committee, that by far the larger part of the crews of these vessels are Canadians brought here at the beginning of the fishing season by warehousemen and shippers because such crews can be hired at less wages than can American sailors. These Canadians go back to their homes when the season is over. The Retaliation Act now on the statute books would operate mainly to destroy free competition in fish in the interest of a fishery trust. The Republican party took good care of the railroads and the fishery trust, but had no concern for either an effective retaliatory act or the American consumer."

"What was the effect of the act as passed?"

"I have no doubt that had the act which was passed by the House became a law by the consent of the Senate, Great Britain would have made still further and more material concessions than have already been obtained. The Senate seems inclined to resist the measure on the same grounds now. Their record for hesitation and ineffective measures is consistent. The record of the President and the Democratic party is likewise consistent, in that if retaliation is found necessary, there shall

be power to render it entirely effective. The Republican leaders are positively now opposing the position taken on the same question by President Grant, who, in 1869, made the same recommendation in almost the same words as are used by President Cleveland now."

(New York World.)

Congressman Perry Belmont gives an interesting history of the retaliation bill proposed by the Democratic House last year before the negotiations for a settlement of the fisheries question by treaty were commenced. Mr. Belmont's story scatters to the wind the Republican charge that President Cleveland's action on the subject has been inconsistent.

In 1887 the policy of retaliation to protect our American fishermen's rights was first suggested by the administration, and Judge Wharton, the law adviser of the State Department, framed the bill which was reported by Mr. Belmont's committee. Almost identically the same powers now asked by the President were given by the bill. Several Democratic members from the West and South, who thought the bill an extreme measure, called on Mr. Cleveland with Congressman Belmont and were assured by him that the measure had his approval. The bill was changed in the Senate by the omission of all the authority to stop the transportation of Canadian goods in bond in order to protect the railroad interests. Mr. Belmont believes that the desire to protect the railroads is now the secret of the Republican anger at the President's message.

At all events, Mr. Belmont's story proves that before the treaty was thought of President Cleveland favored the very same retaliative policy he recommends now that the treaty has failed.

DESPERATE STRAITS OF THE REPUBLICAN LEADERS IN WASHINGTON.

THEIR ABSURD AND INCONSISTENT STATEMENTS RELATING TO THE PRESIDENT'S RETALIATION MESSAGE.

(New York World, Interview.)

WASHINGTON, September 2.— Whatever is said to the contrary, the disorder and dismay into which the Republican leaders have been thrown by the President's retaliation message are the most obvious political facts in Washington. Republican Senators particularly have been led into many inconsistent and absurd statements. In reply to questions of a World correspondent to-day Chairman Belmont, of the House Committee on Foreign Affairs, pointed out some of these. In his recent set speech Senator Hoar maintained that the Secretary of the Treasury "has all this time had absolute power and control and discretion over the whole matter" of prohibiting Canadian exports and imports in bond across or over the territory of the United States or from Canada. He quoted a circular of the late Secretary Manning, dated July 2, 1885, exercising this right. He also quoted another circular of Secretary Manning, dated July 24, 1885, revoking the former circular. From this he maintained that the administration "by two unmistakable and unquestionable acts affirmed its authority to suspend this business as it sees fit."

Mr. Belmont said this second circular sufficiently proved that Secretary Manning has speedily found himself mistaken in assuming the power which Senator Hoar says inheres in the Treasury Department, and had, therefore, promptly rectified the mistake. There was no question that under the statutes of Congress the Secretary of the Treasury had absolutely no power to suspend the right of Canada to import or export articles in bond across the territory of the United States. If he should exact the payment of duty for such products the shipper could recover at law the amount of duties paid.

In regard to the contention of Senator Edmunds that under the Retaliation Act of 1887 the President had really all the power needed to compel the required concessions from Canada, Mr. Belmont said:

" Under that act the President is only authorized ' to deny vessels, their masters and crews of the British dominions of North America any entrance into the waters, ports or places of, or within, the United States.' Also, ' to deny entry into any port or place of the United States of fresh or salt fish, or any other product of said dominions, or other goods coming from said dominions to the United States.' The first clause of the act would practically operate only in forbidding the admission into American ports of fish brought in by Canadian vessels. This would of course be an injury to the Canadian fishermen, but it would likewise be an injury to American consumers of fish by enhancing the market price.

" The movement to have that clause of the act enforced had its origin in the importunities of the comparatively few owners of vessels who save their profit in prohibiting Canadian competition. The President expressed this in his letter of April 7, 1887, in reply to a communication from the President of the American Fishery Union, who insisted that retaliation should be applied only to the exclusion of British-American fishing products from the markets of the United States. The expressions in this letter are particularly important at this juncture, and it is surprising that they have not been given greater prominence in the debate over his last message. The President wrote:

" ' The existing controversy is one in which two nations are the parties concerned. The retaliation contemplated by the Act of Congress is to be enforced, not to protect solely any particular interest, however meritorious or valuable, but to maintain the national honor, and thus protect all our people. In this view the violation of American fishery rights and unjust or unfriendly acts toward a portion of our citizens engaged in this business is but the occasion for action, and constitutes a national affront which may justify retaliation. This measure once resorted to its effectiveness and value may well depend upon the thoroughness and extent of its application, and in the performance of international duties the enforcement of international rights and the protection of our citizens, this Government and the people of the United States must act as a unit, all intent upon attaining the best result of retaliation upon a basis of a maintenance of national honor and duty. The nation seeking by any means to maintain its honor, dignity and integrity is engaged in protecting the rights of the people, and if in such efforts particular interests are injured, and special advantages forfeited these things should be patriotically borne for the public good. In the support of the honor of the Government, beneath which every citizen may repose in safety,

no sacrifice of personal or private interests shall be considered as against the general welfare.'

"The second clause of the act authorizes the President only to forbid entry into the United States of Canadian products for use in this country, not for export. The operation of this prohibition, while injuring Canada, would hurt our own people to a much greater degree. A mere policy of 'tit for tat' which Mr. Blaine seems to recommend, is hardly one consistent with the dignity of the people or of the subject at issue."

As further illustrating the desperate straits in which the Republican leaders found themselves and their blunderings and flounderings in search of something to offset the effect of the President's message, Mr. Belmont referred to Senator Cullom's resolution inquiring by what authority the Secretary of the Treasury had permitted Canadian shipments in bond after July 1, 1885, when, as the President contended, article 29 of the treaty of Washington and section 3, Act of 1873, passed to give effect to that article, ceased to be in force. In his haste "to put the administration in a hole" as the Republicans thought he had, by this resolution, the Illinois Senator had overlooked the fact that transportation in bond of Canadian goods had been authorized by general statute before the treaty of 1871 was negotiated. The practice of warehousing and shipping goods in bond was begun under a law passed in 1862. There was another in 1864, and a third law, which was approved by President Grant March 14, 1866.

Another amusing instance of Republican inconsistency referred to by Mr. Belmont was the disposition now manifested to speak contemptuously of the treaty of 1871, when previously these same Senators had found no words too strong with which to eulogize it. When the Halifax fisheries award was under discussion in the Senate, in June, 1878, there was a long debate, in which Mr. Blaine, Mr. Edmunds and other Republican leaders took part, in which nothing but praise was heard of the treaty of 1871.

Senator Hoar said: "I agree with the Senator from Minnesota (Mr. McMillin) that the Treaty of Washington is a transaction in the highest degree creditable to all who were engaged in it."

Mr. Conkling said: "One of the best products of recent civilization was that great deed of composition which has come to be known as the Treaty of Washington. A group of large and dangerous questions were lifted from the forum of force into the realm of reason and dignity to be disposed of there."

During the whole discussion by leading Republicans who are still in the Senate, not one word of protest was uttered in regard to the treatment of our fishermen. Although the outrages complained of by Presi-

dent Grant in his message of 1869 were of far more serious character than anything of which we know at present, yet Senators Hoar and Edmunds and all the Republican Senators have been driven by stress of party exigency to maintain the position that our relations with Great Britain in regard to the fisheries are not proper subjects for treaty negotiations.

Switching off from the fisheries question The World correspondent asked Mr. Belmont if any confirmation had been received of the reported refusal of the Chinese Government to ratify the amended treaty. He replied:

"No; nothing but what is contained in that dispatch from London. If it be true that the Chinese Government has at the last moment withdrawn from its purpose of ratifying the treaty it must be because General Harrison's votes when in the Senate lead them to hope they can make better terms with his administration in the event of his election."

SPEECH ON THE RETALIATION BILLS OF 1887 AND 1888 AND THE FISHERIES TREATY OF 1888.

House of Representatives, September 4, 1888.

Mr. McCreary called up the bill to empower the President to carry out the purposes of an act, entitled "An act to authorize the President of the United States to protect and defend the rights of American fishing vessels, American fishermen, American trading and other vessels in certain cases, and for other purposes," approved March 3, 1887.

Mr. BELMONT.— Mr. Speaker, the measure which has just been called up for consideration is one in which I, in common with all other members upon this floor, take a very deep interest. I do so particularly because during the last Congress I introduced and reported to the House a bill of similar purport, which was adopted by the House with but a single dissenting vote.

When the message of the President of the United States was received I was absent; and the Committee on Foreign Affairs very properly, in the discharge of its duty, at once proceeded upon the consideration of the message and the preparation of a report to the House. Upon my return I thought it but right and proper that the special committee having this matter in charge should report it to the House, and I requested my colleague on the committee, the gentleman from Kentucky (Mr. McCreary), so to do, knowing that the bill would thus be in excellent hands. I shall take occasion during the course of the debate to give my hearty co-operation in securing a speedy passage of the bill by the House.

I deem this statement due to the House and to myself in connection with the matter.

(Mr. McCreary and others addressed the House.)

[DEBATE CONTINUED, SEPTEMBER 5, 1888.]

Mr. BELMONT.— Mr. Speaker, ordinarily, I should find it a most difficult and serious undertaking to reply to my colleagues of the Committee on Foreign Affairs, the gentleman from Illinois (Mr. Hitt) and the gentleman

from New Jersey (Mr. Phelps). I have had a long experience of their ingenuity and their ability in dealing with such questions as this, and I have a respect for their opinions. But in this instance, after listening to the arguments which they have made, and remembering that in not one single instance has either of them declared his intention to vote against the bill, my only difficulty is to believe that even those who may be politically opposed to the President of the United States should, in such a grave crisis as this, charge upon him motives inconsistent with his duty — so bravely and well performed — to guard and protect the rights of American citizens and to maintain the dignity and honor of the nation.

Why, Mr. Speaker, we ought not to be, and I am sure upon reflection we will not be, Democrats and we will not be Republicans when confronting unfriendly acts of a foreign power. The gentleman from New Jersey (Mr. Phelps) surprised me, who had approached him in the most fair and friendly spirit in the endeavor to make a correction of a statement which I am sure the House will see is unfounded, utterly unfounded. And it is more surprising because the gentleman from New Jersey ought to be familiar with all the phases of this important subject. I deny in common with all who have looked into this question with care, and who have considered the statutes as well as the treaty of 1871, that these commercial operations or privileges originated in the twenty-ninth article. I call the attention of the gentleman to the fact that there exist upon the statute book laws providing for the operations of commerce between the United States and Canada; laws antedating the treaty of 1871. There is a —

Mr. PHELPS.— Will the gentleman permit me —

Mr. BELMONT.— I will not yield to the gentleman.

Mr. PHELPS.— That is scarcely reciprocity, Mr. Speaker.

Mr. BELMONT.— That is exactly what it is.

Mr. ROGERS.— "Retaliation." [Laughter.] [Cries of "Regular order!" on the Democratic side.]

Mr. BELMONT.— The statute of 1862 is the foundation of this series of legislation providing for the warehousing of foreign merchandise upon our territory for a certain period free of duty. Then there was an act approved by President Johnson March 14, 1866, five years before the treaty of Washington, which distinctly provides "that neither this nor any other act shall operate to prevent the transportation of bonded goods, wares or merchandise from warehouse within three years from the date of the original importation nor their exportation in bond from the port into which they were originally imported into any other port or ports for the purpose of exportation." This was followed by still

another act approved July 28th, of the same year, which mentions the British provinces by name.

I did not think I should be called upon to have those statutes read, but it does seem necessary for the information of the gentleman from New Jersey, and I, therefore, ask the Clerk to read section 5 of the Act of 1866, which I send to the desk.

The Clerk read as follows:

And be it further enacted, That from and after the passage of this act, goods, wares or merchandise arriving at the ports of New York, Boston and Portland, or any other port of the United States which may be specially designated by the Secretary of the Treasury, and destined for places in the adjacent British provinces, or arriving at the port of Point Isabel, Texas, or any other port of the United States which may be specially designated by the Secretary of the Treasury, and destined for places in the Republic of Mexico, may be entered at the custom-house and conveyed in transit through the territory of the United States without the payment of duties, under such rules, regulations and conditions for the protection of the revenue as the Secretary of the Treasury may prescribe.

Mr. BELMONT.— The date of that act is 1866. Now I will endeavor to remind the gentleman from New Jersey —

Mr. PHELPS.— Will the gentleman yield to me to say —

Mr. BELMONT.— I can not yield. I should have gladly done so had I been met in the spirit which at the outset I intended to show to him. The gentleman from New Jersey was a member of the Committee on Foreign Affairs in the last Congress, and he has referred to the bill which we unanimously reported at that time, and has endeavored to point out an inconsistency in the position of the committee by reason of the fact that the bill makes reference to the twenty-ninth article. In view of the existing statutes running parallel with the twenty-ninth article, which was already terminated, it is very clear that it was quite proper that these operations of commerce should be described by some phrase which could properly enter into a bill of that nature, but the language employed does not imply at all that the twenty-ninth article was then in force. It could not imply any such thing. If the House will permit, I will here insert the text of that bill, which was as follows:

That hereafter whenever the President shall be satisfied that vessels of the United States are denied, in ports or territorial waters of the British dominions in North America, rights to which such vessels are entitled by treaty or by the law of nations, or are denied the comity of treatment or the reasonable privileges usually accorded between neighboring and friendly nations, he may, in his discretion, by proclamation, prohibit from entering the ports of the United States, or from exercising such privileges therein as he may, in his discretion, by such

proclamation, define, vessels owned wholly or in part by a subject of Her Britannic Majesty, and coming or arriving from any port or place in the Dominion of Canada, or in the island of Newfoundland, whether directly or having touched at any other port, excepting such vessels shall be in distress of navigation and of needed repairs or supplies therefor, and he may also forbid the entrance or importation, either by land or water, into the United States, of any goods, wares or merchandise from the aforesaid Dominion of Canada or Newfoundland, or any locomotive, car, or other vehicle, with any goods that may be therein contained, from the Dominion of Canada; and upon proof that the privileges secured by Article XXIX of the treaty concluded between the United States and Great Britain on the 8th day of May, 1871, are denied as to goods, wares and merchandise arriving at the ports of British North America, the President may also, by proclamation, forbid the exercise of the like privileges as to goods, wares and merchandise arriving in any of the ports of the United States; and any person violating or attempting to violate the provisions of any proclamation issued under this act, and any person preventing or attempting to prevent any officer of the United States from enforcing such proclamation, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be liable to a fine of not more than $1,000, or imprisoned for a term not exceeding two years, or by both said punishments, in the discretion of the court; and if, on and after the date at which such proclamation takes effect, the master or other person in charge of any vessel thereby excluded from the ports of the United States shall do, in the ports, harbors or waters of the United States, for or on account of such vessel, any act forbidden by such proclamation aforesaid, such vessel, and its rigging, tackle, furniture and boats, and all the goods on board, shall be liable to seizure and forfeiture to the United States; and any goods, wares or merchandise, and any car, locomotive, or other vehicle, coming into the United States, in violation of any proclamation as aforesaid, shall be seized and forfeited to the United States.

§ 2. That whenever, after the issuance of a proclamation under this act, the President is satisfied that the denial of rights and privileges on which his proclamation was based no longer exists, he may withdraw the proclamation, or so much thereof as he may deem proper, and reissue the same thereafter when in his judgment the same shall be necessary.

The gentleman from Kentucky (Mr. McCreary) very clearly explained to the House yesterday that the twenty-ninth article contains within it a provision for its own termination. I do not desire to weary the House with a repetition of that argument, but it seems necessary in view of the statement of the gentleman from New Jersey. The article contains a reference to its own termination in the provision that this article (Article XXIX) shall continue in force for the time mentioned in Article XXXIII. Article XXXIII is the article terminating the fisheries clauses, from No. 18 to No. 25, the time being ten years, with a notice of two years. I was myself a member of the committee in 1883, when the House gave the necessary notice, and the fishery articles, together with the articles of the treaty linked with them, were terminated at that time. I will say further that it was not necessary that the twenty-ninth article

should have been named, because the thirty-second article was not named but was also then considered as terminated.

That Canada considered this article as no longer in force is obvious from the course of her officials, and much more so if we observe the character of her legislation. In referring to the bill which was the subject of controversy between the Senate and the House in the last Congress, I think it not improper for me to say that at the time of the preparation of that bill the President was consulted as to the amount of power to be vested in him, and I state to the House that the President at that time desired the same measure of authority for which he asks in the message now before us. I trust I shall observe the rules usually prevailing in both Houses as to the proceedings in either House, but it is almost impossible to properly discuss the questions presented without a reference to the action of the Senate. The Senate was unwilling to grant the power which the House and the President considered necessary to carry out the policy which we are now again endeavoring to put into effect.

I do not think it necessary to recall the points of difference which then existed. There is reason, however, to believe that obstacles which were then placed in the way of such a measure have in part at least been removed. Closer investigation has shown the wisdom and necessity of the policy inaugurated and adopted by the House, and many minds hitherto in doubt as to the power under the treaty of 1871 to withdraw certain privileges from Canadians have now become clear in the opinion that the twenty-ninth article of that treaty is no longer in force, and that such privileges can and should be withdrawn.

We in the House, during the course of the debate — many of us, at least — said it might be that the large railroad interests which undoubtedly would be affected were very sensitive about the measure. It may be so to-day, and we have yet to see the course of this bill to its conclusion. The Senate has not only placed itself in the way of the policy which the President then desired, but it has also interposed by a party vote its opposition to a fair, honorable and advantageous treaty. Not only that, but the Foreign Relations Committee of the Senate has announced that the fisheries questions, in controversy between Great Britain and the United States, are not subjects for treaty negotiation. The country, it seems to me, will apprehend that the Senate has thereby abdicated its share in the settlement of these grave questions, and that it now rests with the House to give direction and force to the position of

our Government; that it rests with the House to uphold the President in the policy which the country has so well received.

The gentleman from Illinois (Mr. Hitt) has referred to the projected treaty of 1888 in terms of contempt, and has made the statement, which appears also in the report of the majority of the Senate Committee on Foreign Relations, that by the treaty there was a surrender of a vast area of fishing waters. The report of the Senate committee stated that that area amounted to one thousand one hundred and twenty-seven square miles. I have had a tabular statement prepared, from which it appears that the entire area amounts to seven hundred and forty-nine square miles as against four thousand square miles claimed by Canada; and the majority of the Senate Committee on Foreign Relations admit in another part of their report, in the third, fourth and fifth of their conclusions, that the fisheries in those surrendered waters are practically worthless at the present time, though they contend that they might become profitable in the future, and should, therefore, not be given up. The exact area surrendered, if the House cares for the figures, were as follows: In square miles, (1) Baie des Chaleurs, 500 miles; (2) Bay of Miramichi, 23; (3) Egmont bay, 20; (4) St. Ann's bay, 5; (5) Fortune bay, 160; (6) Sir Charles Hamilton sound, 2; (7) Barrington bay, 2; (8) Chedabucto bay and St. Peter's bays, 18; (9) Mira bay, 7; (10) Placenta bay, 7; (11) St. Mary's bay, 5. This is an actual area of seven hundred and forty-nine square miles, and is nearly all in two bays.

While we have much to learn, apparently, from our friends on the other side of the aisle about this treaty, we can also learn something from our enemies across the border; and I will ask the Clerk to read a statement made in the Canadian Parliament by Mr. Ellis, a prominent member of that body, on the 18th of April last.

The Clerk read as follows:

First. We have, by the very act of making this treaty, receded from the position maintained so long in practice, that Canada and Great Britain could impose their own interpretations upon the meaning of the treaty of 1818, thus enlarging the restrictions of that treaty. By doing this, we have given the United States a precedent upon which to base new demands for the amelioration of the regulations applied to their fishing vessels, should the need arise.

Second. We have almost wholly abandoned the contention that fishing vessels are a class by themselves, and, therefore, not entitled to any commercial privileges.

Third. We entirely and forever abandon the three-mile headland theory.

Fourth. We forever admit the right of United States fishermen to navigate the Straits of Canso.

Fifth. We no longer compel American fishing vessels to depart from our shores in twenty-four hours after arrival.

Sixth. We relieve them from the obnoxious operations of customs regulations enforced against them as fishing vessels, and which were specially severe, as the true intent of these laws was to regulate commercial trading only.

Seventh. We free them from harbor, pilotage and other dues, which are sometimes inhospitably and often capriciously imposed upon them, even in cases where they sought shelter, dealing with them in these matters as commercial vessels, though denying them the rights of commercial vessels.

Eighth. We have practically abandoned the course of ordering them to depart if supposed to be hovering within our waters, and also the plan of putting an officer on board of them as a matter of course.

Ninth. We permit them, under certain circumstances, to purchase bait, to replenish outfits, to ship men, and to transfer cargoes.

Tenth. We issue to them, free of charge, permits which enable them to purchase supplies in ports of entry on all occasions, just as trading vessels, except that they may not do it for barter, and this applies both to the homeward voyage and outward voyages. This section does not name bait; but there will be no difficulty whatever of purchasing bait under it.

Eleventh. By the fourteenth article we abandon our previous contention that preparing within Canadian waters to fish is evidence of intention to actually fish within Canadian waters, and we, therefore, recede from the position taken by the Act of 1886.

Twelfth. We have limited and defined and reduced the severe penalties imposed by that act for violation of our exclusive rights of fishing. Forfeiture of the vessel is no longer a penalty except for fishing within Canadian waters or preparing within those waters to fish therein. In all other cases $3 a ton is the highest fine which can be imposed.

Thirteenth. We have provided a summary process of law for dealing with arrested or captured vessels, instead of the old and slow process of the admiralty court.

Fourteenth. And lest the punishment of an infraction of the new treaty or that of 1818 should seem to be unjust, and to prevent the danger of giving offense to the United States, the Government of Canada can reverse the judgment of the court.

Mr. BELMONT.— Mr. Speaker, I do not like to bring into this discussion anything like an accusation of unfairness to the President and to his Secretary, but I do not think it just to the House to pass unnoticed the statement of the gentleman from New Jersey, who has said that the Canadian acts have been passed over by our Government without protest. If it will not weary the House I will ask the Clerk to read, and I hope the House will attend to the reading of, a very serious and earnest protest — such a protest as, indeed, calls for the action which we are endeavoring to take to-day.

Mr. PHELPS.— Will the gentleman be good enough to state where, at any time, by agent or directly by himself, the President ever intimated, before the 23d of August, that he considered this article of the treaty canceled either by abrogation or infraction?

Mr. BELMONT.— The gentleman, who is so familiar with diplomatic affairs, will recognize that the statement of the Secretary of State is the statement of the President. I ask the Clerk to read.

The Clerk read as follows:

[*Mr. Bayard to Sir L. West.*]

DEPARTMENT OF STATE.
WASHINGTON, *May* 29, 1886.

Sir.— I have just received an official imprint of House of Commons bill No. 136, now pending in the Canadian Parliament, entitled "An act further to amend the act respecting fishing by foreign vessels," and am informed that it has passed the House and is now pending in the Senate.

This bill proposes the forcible search, seizure and forfeiture of any foreign vessel within any harbor in Canada, or hovering within three marine miles of any of the coasts, bays, creeks or harbors in Canada where such vessel has entered such waters for any purpose not permitted by the law of nations, or by treaty or convention, or by any law of the United Kingdom or of Canada now in force.

I hasten to draw your attention to the wholly-unwarranted proposition of the Canadian authorities, through their local agents, arbitrarily to enforce according to their own construction the provisions of any convention between the United States and Great Britain, and, by the interpolation of language not found in any such treaty, and by interpretation not claimed or conceded by either party to such treaty, to invade and destroy the commercial rights and privileges of citizens of the United States under and by virtue of treaty stipulation with Great Britain and statutes in that behalf made and provided.

I have also been furnished with a copy of Circular No. 371, purporting to be from the Customs Department at Ottawa, dated May 7, 1886, and to be signed by J. Johnson, Commissioner of Customs, assuming to execute the provisions of the treaty between the United States and Great Britain, concluded October 20, 1818, and printed copies of a warning, purporting to be issued by George E. Foster, Minister of Marine and Fisheries, dated at Ottawa, March 5, 1886, of a similar tenor, although capable of unequal results in its execution.

Such proceedings I conceive to be flagrantly violative of the reciprocal commercial privileges to which citizens of the United States are lawfully entitled under statutes of Great Britain and the well-defined and publicly-proclaimed authority of both countries besides being in respect of the existing conventions between the two countries an assumption of jurisdiction entirely unwarranted and which is wholly denied by the United States.

In the interest of the maintenance of peaceful and friendly relations, I give your my earliest information on this subject, adding that I have telegraphed Mr. Phelps, our Minister at London, to make earnest protest to Her Majesty's Government against such arbitrary, unlawful, unwarranted and unfriendly action on the part of the Canadian Government and its officials, and have instructed Mr. Phelps to give notice that the Government of Great Britain will be held liable for all losses and injuries to citizens of the United States and their property caused by the unauthorized and unfriendly action of the Canadian officials to which I have referred.

I have, etc.,

T. F. BAYARD.

Mr. PHELPS.— Will the gentleman from New York yield to allow the date of that letter to be read? What I wish to know is whether the date of this letter is after notice of the infraction of the article or of an intention to break it was given —

Mr. BELMONT.— I fear, Mr. Speaker —

Mr. PHELPS.— Let us have the date. That will answer the question.

Mr. BELMONT.— I fear the gentleman does not understand —

Mr. PHELPS.— Is the gentleman unwilling that the date should be read?

Mr. BELMONT.— I do not yield any further.

The SPEAKER *pro tempore* (Mr. McMillin).— The gentleman from New York declines to yield.

Mr. PHELPS.— I rise to a parliamentary inquiry. I think it in order for me to expect —

The SPEAKER *pro tempore*.— The gentleman from New York is entitled to the floor, and declines to yield.

Mr. PHELPS.— I rise to a question of privilege. I claim that it is the right of a member to have a public document so read that if he is giving careful attention and is not naturally deficient in hearing he shall hear what is read. I did not hear the date of this letter.

The SPEAKER *pro tempore*.— The Chair will state in reply to the gentleman's "question of privilege" that the gentleman from New York, in addressing the House, is entitled to send to the desk and have read in his time such document as he sees proper and only such portion thereof as he desires to have read can be read in his time without his consent.

Mr. PHELPS.— I think, if the Chair will pardon me, the date was read, but I did not catch it.

Mr. BELMONT.— I think the difficulty can be easily overcome. I will read the date —

Washington, May 29, 1886.

I was proceeding to say —

Mr. PHELPS.— Now, will the gentleman yield for a question which will be significant in that connection?

Mr. BELMONT.— I was proceeding to say that I do not think the gentleman quite understood the nature of the protest. He seems to imagine that it has reference to certain infractions of the twenty-ninth article. It was, in fact, a protest against the proclamation by the Queen of a legislative enactment of Canada. It was an endeavor to urge upon Great Britain the importance of exercising some restraint on the dominion.

Mr. Speaker, I think the reading of that protest is certainly a sufficient answer to the statement of the gentleman from New Jersey (Mr. Phelps) that no protest had been entered in regard to the infraction of our treaties and the unfriendly and unneighborly enactments of the Canadian Legislature. The policy which we are endeavoring now to establish is a wise one, because it undertakes to protect the rights of our citizens. And more than that, it is an absolutely necessary one in the face of the protest which we have made. If such protests as this are not followed by action on our part, it would be notice to Great Britain and other governments that protests coming from us are mere formalities not to be followed by action.

It is well enough for those who are hostile to us, either in England or Canada, to look upon the rivalry between Democrats and Republicans in maintenance of American rights as the mere struggle of party, but it is a rivalry, Mr. Speaker, in which we can take great pride and satisfaction, a rivalry with a worthy aim in view. We know well when the moment comes to act that when a great crisis comes upon the nation party differences must be sunk in a united purpose to uphold the rights of our people and the dignity of our Government.

REPLY TO AN INVITATION FROM THE NEW YORK FREE TRADE CLUB TO ADDRESS IT AT COOPER UNION.

To the New York Free Trade Club:

I can not be away from Washington on Wednesday next, but nevertheless I thank you very much for thinking of me in connection with your meeting, and for your invitation.

Were I able to be present, I might venture to inquire whether the name of your club is not, in the actual conditions and necessities of our politics and public affairs, misleading, as well as prejudicial to the objects which the club has in view.

What is really meant by "Free Trade?" What the Federal Constitution intended and established when it gave to Congress exclusive power to regulate commerce among the several States, and forbade any State to levy a tax or duty on any person or article, whether entering or departing, we all know. This is American "Free Trade." But does your club advocate its application to all commodities coming hither from foreign lands? Clearly not, during this century or the next.

There is a "Free Trade" called "British," which, as now applied to England, consists in collecting not much less than a hundred millions of dollars on some twenty imported articles, chiefly tobacco, wine, spirits, tea, coffee, raisins, cocoa, chickory and figs. That certainly is not absolute "Free Trade," or unimpeded commercial intercourse by Englishmen with all foreign producers. It may be said, however, that England does not attempt in the least degree to use her fiscal system as the means of stimulating and assisting domestic manufactures by protective enactments. Is such a condition of opinion and legislation probable in this country in the lifetime of any of us? When can we expect the annual expenditures of the Federal Government to be much less than $300,000,000? And if a land tax or an income tax is a "direct tax," which must be apportioned among the States according to population, and if the demand in the West and South for the suppression or diminution of internal Federal taxes, even on tobacco and spirits, shall increase, whence shall revenues come, if not from duties on imports? How can $200,000,000, or $160,000,000, be levied on imports without thereby giving a large incidental protection to domestic producers or articles similar

to those coming from abroad on which duty will fall? Free trade is, it seems to me, a misnomer in American politics, and if labeled "British" will be injurious to the really feasible and useful objects which, as I take it, your club seeks to accomplish, one of which is a reduction of our present enormous surplus taxation which bids fair to reach this summer the portentious sum of half a million a day. That sum will go into the Treasury in the form of coin, or greenbacks, or silver certificates or gold certificates, which are in great part the circulating government currency of the country. They must remain, in great part, in the Treasury, during at least this year if they go in. How can they be got out? What will be the inevitable consequence to business if they remain?

Congress, unless it actually gives away the surplus in bulk and outright, can not by any appropriations, no matter how gigantic or absurd, take an additional $100,000,000 or $160,000,000 out of the Treasury this year. No appropriations for coast defenses, or rivers or harbors, or public buildings, pensions or education, or anything else, can accomplish that, for the simple reason that so gigantic a sum can not be decently expended before next December. Yet a law to reduce surplus taxation need not take any more of the time of Congress than plans to appropriate the money.

The reduction of taxes is the work that confronts us. Secretary Manning has told the country how it can, by placing crude raw materials on the free list, reduce surplus taxation, assist our domestic manufactures and maintain high advanced the prices of the wages of American labor, in order to defy in our markets British competition. There is no irrelevant Cobden Club theory in Mr. Manning's teachings.

PERRY BELMONT.

LETTER READ AT THE COUNTY DEMOCRACY MASS MEETING.

(New York World.)

* * * Speaker Carlisle, Governor Hill and Congressman McMillin delivered eloquent addresses. The big Academy of Music never held a more enthusiastic audience than that which assembled there last night, under the auspices of the County Democracy, to ratify the nominations of Cleveland and Thurman. * * *

The Chairman read letters of regret from a number of distinguished Democrats. The first was from Congressman Belmont, and when that portion was reached where mention was made of the Mills bill there was a long and spontaneous burst of enthusiasm.

"It will be impossible for me," wrote Mr. Belmont "to be absent from Washington on the day named for the meeting of the New York County Democracy to ratify the nominations of the St. Louis Convention. I regret it extremely, because I would have liked to have had this opportunity of addressing a meeting under the auspices of the New York County Democracy, and thus giving evidence of my hearty support of the candidates nominated, and of the principles under which we are enlisted.

"Not only does the creditable record of Mr. Cleveland's administration call for approval on the part of all who are interested in the welfare and progress of the country, but his re-election is imperatively demanded in order to insure a continuation of the prosperous condition of our public affairs. Democrats will naturally rally to his support, since he so fitly represents the principles of the party, and has so courageously presented the issue in the challenge he has thrown down to our opponents.

"The first Democratic platform, adopted by a congressional caucus at Philadelphia in 1800, the year when Thomas Jefferson was elected to be President, demanded freer commerce with all nations. To-day there is no free trade party in this country, since both the great political parties favor the maintenance of tariff taxation, and we derive from

that source the greater part of our national revenue. On the other hand, it would insult the intelligence of the country to declare that our present system of tariff taxation is satisfactory to the people.

"The decline of our merchant marine and the loss of our proper trade relations — outstripped in foreign markets as we are by our great commercial rival, England — are in themselves sufficient reasons for Congress to make a change in our tariff laws. The Mills bill simply lowers the rate of tariff taxation from about forty-seven per cent. to about forty-two per cent. It is not a free trade measure, but is a step directly in accord with the growing needs of our fiscal and commercial system, namely, a reduction of the surplus and an increase in our foreign trade.

"During the administration of Mr. Arthur a Republican Executive negotiated and a Republican Senate ratified a series of commercial treaties with Mexico, Spain and South America, of which the avowed object was to obtain foreign markets for American products. By the reciprocity treaty with Mexico alone there were twenty-eight articles to be admitted into this country free of duty. But the Democratic House refused to pass the Enabling Act to carry this treaty into effect. In other words, the Republican party in politics to-day has for its slogan the misleading cry of "Home Markets," while the very last act of the Republican party in power was to attempt to obtain, through the treaty-making power and through radical steps, an extension of our foreign markets.

"But the House of Representatives, then controlled by the Democratic party, interposed; and it is still to-day the Democratic policy that any change in our fiscal system shall be made through the representatives of the people in the lower House of Congress, where full public discussion can be had, and where the interests of each section and of each congressional district can be properly presented for consideration. Nor has our President, as did Mr. Arthur, attempted to use the treaty-making power to bring about changes in our commercial system.

"Mr. Cleveland, placing himself in line with his party in the House, has adopted the wise, patriotic and Democratic policy of leaving to the representatives of the people the regulation of the people's taxation. Hence we enter upon the pending political controversy confident that the moderate and courageous course of the Democratic majority in the House, and of the Democratic Executive at its head, will meet with the approval which honesty and firmness of purpose never fail to secure."

DIPLOMATIC MISSION.

1888-1889.

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APPOINTED MINISTER TO SPAIN.

(Boston Advertiser, November 19, 1888.)

Congressman Perry Belmont has been appointed United States Minister to Spain. He sent a letter to the President by Friday night's mail accepting the position. The place has been vacant for some time. The fact of the appointment has been kept secret, but Mr. Belmont, who was seen last night, admitted it and said he had decided to accept. He will sail for Spain early next month.

Mr. Belmont will at once transmit to the Governor of New York his resignation as a Representative, in order that his place may be filled by a special election. His resignation as a member of the House will cause a vacancy in the Committee on Foreign Affairs, of which he is chairman.

(Philadelphia Ledger, Washington, November 21, 1888.)

The appointment of Perry Belmont of New York to be Minister to Spain has recalled the controversy that occurred a few years ago between that gentleman and Mr. Blaine, in connection with the acts or policy of the latter while Secretary of State. This controversy occurred in the room of the House Committee on Foreign Affairs, which committee was, at the time, prosecuting an inquiry into certain South American affairs. It is intimated that, in consequence of the conduct of Mr. Belmont upon that occasion toward Mr. Blaine, the latter will exert his influence to cause the rejection of Mr. Belmont's nomination when it is sent to the Senate. It is not likely that Mr. Blaine will trouble himself about Belmont's appointment to Spain. He is too shrewd a politician not to know that no effort of his could damage Mr. Belmont with the Senate. A few of Mr. Blaine's Republican friends in that body might be able to delay confirmation for a short period, but there are Republican Senators who have no special regard for the Maine statesman and who would unite with the Democrats to secure Mr. Belmont's confirmation in the event of interference by Mr. Blaine. Mr. Belmont will be confirmed by the Senate, whether Mr. Blaine opposes him or not, and it is likely confirmation would be hastened by opposition on the part of that gentleman.

PRESENTATION OF CREDENTIALS.

LEGATION OF THE UNITED STATES,
MADRID, *February* 13, 1889.

Hon. T. F. BAYARD, *Secretary of State:*

SIR.— Department No. 12, of the 11th of January last, transmitting Mr. Curry's letter of recall, was received on the 23d of the same month, and the formal request for an audience for the purpose of delivering it with my credentials to the Queen Regent was at once addressed to the Minister of State by the acting Chargé d'Affaires.

The arrangements for the reception were, however, intercepted by the sudden death of the Crown Prince of Austria, the cousin of the Queen, which rendered necessary the immediate assumption of mourning by the Court for twenty days — ten days of this period being deep mourning.

The official reply to the request for the audience was received on the 11th inst., and fixed my reception for to-day at 2 o'clock. In the meantime, in conversation with the introducer of Ambassadors, as well as from the statements of officials in the Ministry of Foreign Affairs, I had learned that it was the desire at the Spanish Court that the formal speech which had until lately been customary at the presentation of Ministers should be omitted, unless insisted upon by the Minister; that such omission would be most acceptable to the Queen, and at the latest presentation of foreign representatives no formal addresses had, therefore, been delivered.

I took occasion to inform the Minister of State that personally I felt no desire to make the usual set speech which it had been the custom to read on the occasion of such audience, and that it was a matter in which it was my intention to yield entirely to the wishes of the Queen.

To-day, a short time before the hour fixed for my reception, the introducer of Ambassadors called for me, with two State carriages and a mounted guard in the usual manner. On my presentation to the Queen I stated in a few words that I had the honor of presenting to Her Majesty the letter of recall of my predecessor, as well as the letter accrediting me as Envoy Extraordinary and Minister Plenipotentiary, and that at the same time I was charged by the President of the United States to an-

nounce to Her Majesty the great satisfaction of the Government of the United States in its cordial and agreeable relations with the Government of Spain, and also to convey the expression of the good wishes of the President and people of the United States for the welfare of Her Majesty and of the Royal Family, and for the happiness and prosperity of the Spanish people. The Queen rose at once and came forward to meet me and engaged for some time in an informal conversation, in which she showed that she had followed with interest the course of events in the United States.

Owing to the omission of the speech this friendly conversation, I was informed, was much longer than has been the custom under the former system, and Her Majesty's agreeable manner impressed me with the belief that I had decided correctly in not insisting upon availing myself of the privilege of delivering a formal address.

Before closing this dispatch I will take this opportunity to acknowledge the receipt of the Department's No. 18, on the 30th ult., transmitting Mr. Curry's letter of recall, and alluding to the consequent delay in the presentation of my credentials as "embarrassing," in order to assure the Department that the inability to procure an earlier audience has not caused me the least personal inconvenience or annoyance.

I have the honor to be, sir,

Your obedient servant,

PERRY BELMONT.

THE MORA CLAIM IN THE CORTES.

LEGATION OF THE UNITED STATES,
MADRID, *February* 16, 1889.

Hon. T. F. BAYARD, *Secretary of State.*

SIR.— Referring to Department's No. 4, of December 18 last, instructing me as to representations to be made to the Spanish Government regarding the delay in the payment of the indemnity due Antonio Maximo Mora, I have the honor to report that as soon as possible after my reception by the Queen I took occasion to bring to the attention of the Minister of Foreign Affairs the reasons stated in the above instructions for the prompt and final settlement of the question.

To the arguments I advanced the Minister replied that his Government was entirely powerless as concerned the payment of the claim, without the approbation of the Cortes. The unfavorable and unfriendly attitude of the House of Deputies had forced his predecessor, Señor Morat, to withdraw from the position which he had taken in the notes agreeing to pay the claim, and fixing a sum to be provided for in the Cuban budget, and had obliged the Government to fall back upon the assurance that no separate nor prior provision was to be argued for the Mora claim, but that the amount necessary for its payment was only to be requested as one of the details of a full and general settlement of all the claims pending between the two Governments.

In accordance with your instructions I then suggested that, in the hope of aiding the Spanish Government in arriving at a satisfactory solution, and of placing it in a more favorable position for securing the necessary appropriation, the Government of the United States might be willing to make some agreement looking to the submission to arbitration of the claim of Maza and Larache, which was the principal claim urged by Spain against the United States.

The Minister stated in answer to this proposal that it was manifest from the terms of the late interpellation and debate on the Mora claim that there had been no diminution in the hostile temper of the House of Deputies on this question; that in view of the declarations which this Government had been compelled to make to the House the only method of presenting the Mora claim to that body with the hope of securing the necessary appropriation was to present it with a plan of general settlement. It was, therefore, impossible to select special cases on either side, like the Mora case on one side and the Maza-Larache claim on the other. The difficulties under which the Spanish Government labored had been made known to the Government of the United States, which had responded by submitting the draft of a convention for a new commission. This proposition Marquis de la Vega de Armijo had found pending on his entry into the Ministry of Foreign Affairs, and in his note of 15th October last (transmitted to the Department, by Mr. Strobel's, No. 362, of October 22d), he had given his reasons for regarding the suggestion as impracticable. He had submitted, however, in the same note, a counter proposition of what he believed to be a simple and prompt mode of settlement, namely, an examination and report by the Spanish Minister at Washington and some Commissioner appointed by the Department of State, subject to the approval of the two Governments, to be taken as a basis for the payment of the claims of Spain against the United States. This being done on the same principle as the report of Messrs. Strobel

and Figuera, which was to be used as the basis of the payment of the claims of the United States against Spain, in addition to the Mora indemnity. This correspondence had been submitted to the House of Deputies, which was fully aware that the negotiations no longer involved a settlement of any special claim on either side, nor did he believe that the negotiations could proceed until he had received the answer to his proposition or until some other method of general settlement had been discovered.

Not having received any instructions in reference to the Minister's proposition contained in his note of October 15, 1888, which he evidently makes a preliminary to further negotiations, I closed the interview and hasten to communicate these details.

The late debate in the Cortes, to which the Minister several times alluded, occupied the greater part of three sessions, January 18, 28, and 29. It was mainly a repetition of the debates of last year on the subject, but was characterized by greater violence of language, of which the following extracts are examples:

SR. LASTRES, Deputy for Porto Rico (Conservative):

"Reciprocity! Compensation! Recognize in favor of Mora! a declared enemy of Spain! who realized his fortune in order to make war against us! Recognize thirty millions (reals) when the Spanish Treasury is in arrears to pay its debts of blood to the very soldiers who went to the fields of Cuba to defend the national integrity! (Applause.) * * * I deny absolutely that the Spanish nation is the debtor of this man, and it is necessary that by some act of energy we should reprimand the Government. If the necessary determination fails us, if we do not condemn with all the energy which the case requires, public opinion, which now evidently weighs solely upon the Government, will confound us all in the same responsibility."

SR. DIAZ DEL VILLAR, Deputy, Matanzas:

"Thirty millions of reals, which are made a present — not to the United States Government but to a lot of claim agents, (*unos cuantos agentes de negocios*) are of very little importance in comparison with the honor and glory of the Spanish nation. * * * They (the people of the United States), let it be said to their honor, have no share in this claim nor in many others. It is necessary for the Government of my country to understand that the claims of the renegade Spaniards of the Island of Cuba which are brought here are supported neither by the Government of the United States nor by the Chambers."

SR. LABRA (Autonomist), Deputy for Porto Rico:

"With nothing less than profound dissatisfaction, with marked antipathy do we see all these acts of those who, after having contributed

to the insurrection in Cuba which has caused so much injury to all of us, which has obstructed the establishment and development of liberty in that country, come, under the shade of a foreign flag, with their unjustifiable claims to increase our woes and to make more acute the terrible crisis through which we are passing." (Applause.)

The Minister of State, in reply to these attacks, took the position adopted by him in the discussion of December 5 last, when the interpellation on the Mora claim was announced by Sr. Lastres, the report and translation of which was sent to the Department in Mr. Strobel's No. 379, of December 22, 1888. He argued that as the negotiation was pending in reference to the whole subject of the claims the discussion was improper and inopportune. In any case the result of the negotiation in its complete form would necessarily be brought before the House for its approval. He closed by saying:

"Let the honorable gentleman (Sr. Lastres) be assured, in view of the unanimity of thought and opinion which exists in this House, in reference to the Mora question,— let the honorable gentleman, I repeat, feel complete security that no matter who occupies this place at the termination of the negotiation that Minister will come before Parliament, and Parliament will decide with complete liberty of action. The fears of the losses which may happen to the Spanish nation are, therefore, completely unfounded."

In view of these assurances Sr. Lastres withdrew his proposition to the effect that, "until the Cortes of the Kingdom should decide, there does not and can not exist any national engagement respecting the amounts communicated in the notes of November 29, 1886, and August 16, 1887, amounting to $1,828,392."

I have the honor to be, sir,

Your obedient servant,

PERRY BELMONT.

MADRID, *February* 18, 1889.
LEGATION OF THE UNITED STATES,

Hon. T. F. BAYARD, *Secretary of State:*

SIR.— In reply to the Department No. 5, of December 18, last, objecting to a clause in the Strobel-Figuera joint report in reference to the consideration of the United States of East Florida claims, and instructing

me to secure its removal, I have the honor to refer to my No. 4, of this date, giving the details of a conversation with the Minister of State in reference to the Mora claim, in which the Minister expresses his desire for and his belief in the necessity of some joint arrangement for the disposal of major claims.

It will be seen from the statements made by him that he awaits the reply to his proposition for a report at Washington upon the Spanish claims against the United States of the same nature as the joint report made by Messrs. Strobel and Figuera upon the American claim. These two reports are to be the complement of each other and the basis of mutual payment. If this proposition is accepted by the United States the consideration of the claims of Spain against the United States will be transferred to Washington and the rejection of the East Florida claim would be made there. The Strobel-Figuera report, therefore, now constitutes a basis for determining the sums to be paid by the United States on the claims admitted therein.

I have the honor to be, sir,

Your obedient servant,

PERRY BELMONT.

(*Secretary Bayard to Mr. Belmont.*)

AMERICAN VESSELS IN CUBA.

DEPARTMENT OF STATE,
WASHINGTON, *February* 20, 1889.

Sir.—I enclose with this dispatch copies of an extended correspondence which has taken place with Messrs. James E. Ward & Co., of New York, agents of the New York and Cuba Mail Steamship Company, and with the consular officers of the United States at Mantanzas and Havana, in relation to the vexatious requirements of the Cuban customs regulations, by which minute and circumstantial declarations of manifested merchandise, which are unusual and unnecessary in the usual course of mercantile and shipping transactions, are demanded by the Cuban authorities; and whereby also fines are imposed without apparent recourse of revision or appeal in cases of shortage in the delivery of cargoes under circumstances admitting of the conclusive establishment of good faith in the transaction.

Although the correspondence herewith transmitted relates to two different causes of complaint, it has seemed convenient to embrace them in one instruction, inasmuch as the conclusion reached in both cases involves the same treatment in their presentation and suggests the same remedy.

The files of your legation for the last sixteen or seventeen years contain a mass of correspondence in relation to the general subject of vexatious and obstructive treatment of commerce by the Spanish colonial officials through the imposition of wholly disproportionate penalties for trivial errors in the preparation of the manifests of vessels and for accidental irregularities in the cargo they carry. It would be convenient for you to familiarize yourself with so much of the correspondence in question as may be applicable to the question treated of in the present instructions. You may in particular consult the correspondence which took place in the early part of 1873, when concurrent action was had by the representatives of the United States, Great Britain, Germany, and Sweden and Norway at Madrid, in the effort to obtain some amelioration of the existing restrictions upon trade; and you will also find the subject referred to in the instructions and correspondence which preceded the negotiation of the original Foster-Ruis *modus vivendi* of 1884.

Messrs. Ward & Co. complain in the first instance of the imposition of a fine of $800, at Mantanzas, upon the steamer *Manhattan*, of their line, in July last, because her cargo was found upon discharge to be short four tierces of lard. The facts of the case are very simple, and the explanation of the shortage and establishment of complete *bona fides* in the transaction are conclusive, and yet it appears that the financial authorities of the Island of Cuba raise technical objections to considering the case in the light of the evidence presented and allege their incompetency to revise or reverse the decision of the predecessor of the present general administrator of customs.

It appears that the steamer *Manhattan*, in the course of her regular trip by way of Havana from New York, arrived at Mantanzas on the 28th of July last. When her cargo was unloaded it appeared that the four tierces of lard in question, while borne upon the vessel's manifest, were not found on board. The maximum fine of $200 for each missing package was thereupon imposed, but was not immediately collected pending inquiry to ascertain whether the missing packages might not have been delivered at the intermediate port of Havana. They were not so delivered. Meanwhile it was ascertained that the four missing tierces had by accident been left upon the wharf at New York, and on the next voyage of the steamer *Manhattan* they were put on board, carried to Mantanzas and there entered, upon payment of duties, apparently under

the original manifest of the voyage of the 28th of July. The agents of Messrs. Ward & Co. at Mantanzas seemed to have regarded the affair as ended by the production and entry of the missing packages, and took no steps by way of appeal from the fine until the 1st of September following, when they were advised by the collector of customs at Mantanzas that the fine in question must be paid. The intervention of the Consul of the United States at Mantanzas was exerted to procure suspension of the collection of the fine in order to permit the consignees to obtain from New York, under the seal of the Spanish consulate, duly certified proof that the four tierces of lard had been in fact left on the wharf in New York, which certificate was duly received and communicated by the Consul to the collector of customs at Mantanzas on the 26th day of September, 1888. The collector, however, persisted in claiming the payment of the fine; on the 14th of December the consignees presented their case anew by way of appeal through the Consulate-General at Havana, to which the consulate at Mantanzas referred the case. On the 27th of December, the Consul-General, Mr. Williams, informed the Consul at Mantanzas that on presenting the case to the Intendente-General and the central administrator of customs, he found that the case had already been passed upon and decided two months before by the predecessor of the present intendente, who, it was, therefore, said, could not reverse the decision.

It is not easy to conjecture the grounds upon which an adverse decision confirming the fine in question was reached, as stated in October last, when the authorities at Havana must have had before them full explanation of the shortage and conclusive proof of the absence of all bad faith in the transaction, which was furnished by the certificate of the Spanish Consul-General at New York, dated September 18, 1888, and when they must have had knowledge that the missing tierces had been subsequently produced and entered in perfect good faith; and the refusal of the financial administrator of authorities at Havana to review the case, upon appeal being made through the authoritative channel of the United States Consulate-General at Havana, is equally inexplicable.

The whole procedure illustrates the constant tendency in the administrative procedure of Cuba to regard the original application of a penalty under a strict and technical, although morally indefensible construction of the letter of the Spanish customs law as a conclusive disposition of the case, and to interpose further technical obstacles to all attempts at explanation, justification, or appeal. In this respect, the Spanish system is in striking contrast with that which is pursued in the United States and the benefits of which are secured to Spanish vessels entering our ports under the existing *modus vivendi*, as Consul-General Williams well

points out in his dispatch No. 912, of January 30 last. While in this country good faith is made the sole test in the case of questioned enforcement of a penalty, and where the law expressly provides that no fine shall be collected or punishment inflicted if satisfactory explanation of the penalized shortcoming can be made, the Spanish procedure appears to follow a directly contrary rule, and to surround with every possible obstacle, any attempt of the parties in interest to explain the case or exculpate themselves from the charge of violation of the law. In brief, while the United States law punishes only the willful infraction thereof, the Spanish law appears to be designed to furnish opportunities for technical exaction of penalties, even though the absence of all willful intent to do wrong is patent.

It is true that on some occasions in the past, upon representation made through the United States legation at Madrid, conclusively establishing good faith and absence of intent to defraud, fines have been in part remitted; although it is to be remarked that even in such instances justice has been but tardily rendered to the injured party, and the redress furnished has been inadequate owing to the alleged incompetency of the Government of Spain to remit the moiety of the fine collected and paid to the informers. The viciousness of this moiety system and its injurious effects upon commercial operations have been heretofore abundantly represented in the instructions sent to your predecessors, and it, therefore, appears unnecessary in this connection to do more than advert the the point, in the assumption that you will bear it fully in mind in the execution of the present instructions.

But even the fact that tardy and partial reparation may be at times obtained in this round-about way, serves only to emphasize the contrast which it is now sought to point out as existing between the customs administrative procedure in the United States and in Spain and its dependencies. So long as this complete diversity between the two systems of procedure exists, and so long as direct, speedy, and simple resort to administrative relief does not enable those parties who may be injured by the technical application of Spanish law to exonerate themselves from any charge of willful intent to defraud and to furnish satisfactory explanation of the charges against them, it can not be said that a full and complete reciprocity in this regard exists between the United States and the Spanish Antilles.

Another aspect of the general question now under consideration is presented by Messrs. Ward & Co., respecting the requirements of the Spanish customs law that the manifest of cargo, while conforming in every respect to the bills of lading signed by the master or agent of the vessel, shall yet contain a minute description of the articles shipped,

specifying among other things, not only the general character of the merchandise but the specific character or composition thereof. The ground of the particular complaint they present is the imposition of small fines in June and July, 1888, and January, 1889, upon the master of the steamer *Cienfuegos* for using the word "drugs" in the manifests presented, it being claimed by the collector who imposed the fines that under paragraph 26, article 3, of the general orders to be observed by captains of vessels trading between foreign ports and the Island of Cuba, issued by Spanish royal decree on May 1, 1881, the employment of a vague term like the word "drugs" is punishable by a fine as aforesaid. The complainants, however, represent that the phrase in question is habitually used by the whole commercial world to distinguish mixed assignments of assorted drugs and medicines, and that it so appears, customarily, in bills of lading.

The Spanish requirement is open to many objections, not the least of which is, that it seems to contemplate the regulation or modification by municipal law of the mercantile procedure of other communities by constraining them to adopt new and unusual methods of describing merchandise for which usual, legitimate, and sufficient descriptions are already employed in the course of commerce. The change, if effected at all, must be in the bills of lading prepared by the exporting merchants and presented to the agents of the steamship companies. Common carriers ordinarily possess no other means of knowledge of the contents of packages than the contents of the bills of lading. They are, besides, constrained under heavy penalties by Spanish law to make their manifests an exact copy of the bills of lading presented.

This phase of the question we very fully discussed at Madrid on the occasion above referred to in 1883. The vexatious character of the constantly recurring fines upon masters of vessels upon trivial allegations of error or irregularity in the preparation of the manifest, for which neither the master nor the owners of the vessel could in any way be justly held responsible, was then thoroughly exposed.

It was pointed out on behalf of the complaining governments that where mercantile usage regarded such descriptions as "shooks and heads," "flour," "nails," and the like, as full and sufficient descriptions of the ordinary merchandise carried, it was a needless and ordinary requirement to insist that the shooks and heads — should be described as of *wood;* the flour as from *wheat;* and the nails as of *iron.* Moreover it appeared that it was no part of the business of the shipowner, as a carrier, to verify the contents of packages as stated in the bills of lading; that they were without the knowledge in most cases which would enable

them to correct, when they came to make up the manifests of the vessels, any errors of statements in the bills of lading presented to them; and, further, that any correction of or departure, however trivial, from the language of the bill of lading, when discovered in the manifest, became a separate pretext for a fine.

Recognizing the justice of these representations, the Spanish Government adopted a more equitable rule in apportioning responsibility for so-called errors in the generic and specific description of imported merchandise, by providing that where an error was discovered to have originated in the bill of lading, and to have been reproduced in the manifest, the consignees should be held responsible, and not the owners or the master of the vessels. It does not appear in the particular instance presented by Messrs. Ward & Co., of the fines upon the *Cienfuegos*, that this rule was applied, or that the errors, so penalized, originated in the preparation of the steamer's manifest. It is, on the contrary, to be inferred from the letter of Messrs. Ward & Co., of January 25, that the description of the contents of papers or packages of medicines as "drugs" originated in the bills of lading, and it is further stated in the protest of the master of the *Cienfuegos*, that such method of description has been used for a number of years on the Island of Cuba, and as such, had up to the time of imposing the fines referred to, been accepted by the Spanish custom house authorities as good and sufficient.

Assuming that this statement of the master of the *Cienfuegos* is correct (and there seems but little reason to doubt its accuracy, as he speaks of a matter constantly within his knowledge, and under his observation in the course of frequent voyages), it would seem that a new and ingenious device for the imposition of a fine has been discovered by the customs authorities of Cuba. Under the obnoxious system which governs the imposition of such fines, the interested motives of the customs authorities at the port of entry to strain the letter of the law to the utmost against the master or the importer is evident, and this powerful incentive necessarily overlooks considerations of equity, and, by disregarding the most ordinary usages of commercial intercourse, an obstacle is placed in the way of legitimate trade. No just principle of responsibility is discernible in these penal proceedings. No fraud is perpetrated. Duties are not paid upon the manifested descriptions or values of goods. The ascertainment of the exact contents of any package for the purpose of assessing customs duties thereon pertains to the revenue officers of the port of entry, who, of course, are governed by the precise regulations and requirements of the revenue law, and it is not to be expected, nor is it in any way practicable, that the shippers of goods, much less the

mere carriers of merchandise, can be made a part of the machinery for the enforcement of all the intricate details of the Spanish revenue laws. The question seems to be much larger in its scope than one of mere form and detail. The enlightened policy of the governments of our day is to extend as far as possible all operations of legitimate commerce, to remove the burdens which oppress and the obstacles which hinder a full and fair interchange of the commodities and productions of neighboring communities; and it is to this end that the present representations are addressed through you to the Government of Spain.

The existing *modus vivendi* in regard to commerce between the United States and the dependencies of Spain was doubtless a great step forward in this direction, in that it recognized a just principle of reciprocity in the commercial treatment of imports and exports and of the vessels carrying the same. It would seem to be the part of wisdom and foresight still further to extend the principle of reciprocity and to emphasize the principle of nondiscrimination by incorporating in the present agreement a provision for the treatment of American vessels and their cargoes in the colonial ports of Spain on a footing approximating to the treatment which is extended in the ports of the United States to Spanish vessels and their cargoes, particularly in respect of penalties for alleged violations of customs laws. It is but fair that we should expect and obtain the same prompt opportunity in Cuba and Porto Rico for appeal to a superior authority for the remission of technical, but often enormously disproportionate, penalties, for so-called errors, themselves merely technical, not conclusive to fraud, not involving any intent of wrongdoing, and capable of simple and sufficient explanation in good faith.

I have, therefore, to instruct you to present this important matter for the consideration of the Government of Her Majesty the Queen Regent. In doing so you will adopt such method of presentation as may appear to you best adapted to the end in view, fortifying your argument with such citations of examples and cases in point from the present instruction or from those addressed to your predecessors and to be found upon the files of your legation as you may deem expedient. You will bear in mind that your present object is not so much to obtain consideration and redress of the complaints herein presented, as to lay down a rule of action which will do away with the causes of such complaints in the future.

A convenient method of accomplishing this result would be the inclusion of an article or articles in the existing commercial arrangements, following as far as possible the draft articles 9 and 10 of the proposed

commercial treaty with Spain which was submitted to me by your predecessor, Mr. John W. Foster, on the 16th of April, 1885, and which is referred to in my instruction to Mr. Curry, No. 27, of January 22, 1886. For your greater convenience of reference I here quote the text of those draft articles:

Article 9. The two high contracting parties mutually stipulate by the present treaty that the fines and pecuniary penalties which may be imposed, and the product of the forfeitures which may result from violations of the laws and of the customs ordinances of the United States and of the islands of Cuba and Porto Rico, when the fines, penalties and forfeitures proceed from violations of said laws and ordinances committed in the commerce of importation and exportation of said States and islands, shall be paid in full into the public treasury of said States and islands and shall remain absolutely under the control of the respective Governments, without being received directly and with any preferred or any other kind of right by any informer or by any other individual.

The laws and regulations of each one of the two contracting parties shall establish the manner of recompensing individually the services rendered by public officials in the prosecution of fraud.

Article 10. The two high contracting parties mutually agree that no fines or penalties shall be imposed either in the custom houses of the United States or in those of the islands of Cuba and of Porto Rico on the vessels of Spain or of the United States, or on the captains thereof engaged in the commerce of importation or exportation between the said States and islands, on account of errors or omissions in the manifests of any part of the cargo of said vessels, if it shall appear that said manifests agree with the bills of lading of said cargo, unless it be proved that there has been complicity on the part of the captains or owners of the vessels in the attempt to defraud the Treasury by said omissions or errors.

It is further agreed that the conductors or carriers of merchandise with whose importation the attempt may be made to violate the laws, ordinances, or regulations established by the respective Governments to prevent fraud in the commerce of importation or exportation between said States and islands, shall not incur responsibility, fine or imprisonment, unless the complicity of the said carriers in the attempt to commit it is proved. Vessels are also exempt from responsibility and fine if complicity on the part of the captains or owners of the vessels in the commission of the fraud is not proved.

These propositions, which reproduce, with some verbal modification and explanation, the text of the commercial convention signed by my predecessor, Mr. Frelinghuysen, having already received the full assent of the Spanish Government, it is not conceived that any objection can now exist to their incorporation in the existing *modus vivendi*.

It would, moreover, be advisable to add to them a provision for the prompt and equitable disposition of cases in administrative appeal in the first resort to the superior customs authorities of the locality in the way permitted by our laws, and with opportunity satisfactorily to explain the delinquency which may be caused and to cause good faith in the transaction.

The report of your action upon this instruction will be awaited with interest.

I am, etc.,

T. F. BAYARD.

(*Mr. Bayard to Mr. Belmont.*)

DEPARTMENT OF STATE,
WASHINGTON, *March* 1, 1889.

Sir.— Referring to my instruction to you, No. 27, of the 20th ultimo, relative to the fines imposed by the Spanish customs officials in Cuba and Porto Rico upon Americans shipmasters for trivial errors in the manifests of their vessels, and referring particularly to the mention therein made of the fines imposed upon the steamer *Cienfuegos*, of the James E. Ward & Co. line, I inclose herewith for your information a copy of a dispatch from the United States Consul at Santiago de Cuba, dated the 8th ultimo, transmitting to the department, and commenting intelligently upon, the protest of Captain Colton, of the *Cienfuegos*, and mentioning, as you will observe, by way of illustration of the vexatious character of the system of penal fines complained of, the recent case of the schooner *H. J. Cottrel*, upon which the authorities of Santiago sought to impose a fine because her manifest had been irregularly made out by the Spanish Consul at Mobile.

I am, etc.,

T. F. BAYARD.

(*Mr. Belmont to Mr. Blaine.*)

DISCRIMINATION AGAINST AMERICAN VESSELS.

LEGATION OF THE UNITED STATES,
MADRID, *March* 14, 1888.

Sir.— Referring to departments. No. 271, of February 28, 1888, and No. 279, of April 2, 1888, in reference to discrimination made by the Cuban officials against American vessels, in disregard to the provisions of the existing *modus vivendi* with Spain, I have the honor to inclose copy and translation of a note from the Minister of State in reply to the notes of this legation of March 14 and April 20 last, copies of which are also inclosed, stating that orders have been given to the customs authorities of the Island of Cuba to pay strict attention to the terms of the existing agreement and that the excess of tonnage dues collected from the schooner *Uranus* would be returned.

I have, etc.,

PERRY BELMONT.

(*Marquis De La Vega De Armijo to Mr. Belmont.*)

[Translation.]

MINISTRY OF STATE, }
PALACE, *March* 1, 1889. }

Excellency.— In reply to the notes dated March 14 and April 20 last, I have the honor to inform your excellency that, in accordance with information conveyed to me by my colleague the Minister of the Colonies, on February 26 last, the Governor-General of Cuba was on said date notified that in view of the claims growing out of the excess of tonnage dues collected from American, when compared with those collected from Spanish, vessels, and the result being that by such collection there has been an infringement of the commercial agreement of May 26, 1888, between Spain and the North American Republic, since that Government established absolute equality between national vessels and those of said Republic, orders have been given that the Treasury authorities, and more particularly the collectors of customs of that island, should in the collection of dues to be paid by American vessels pay attention to said agreement, and that the sum in excess collected from the brig *Uranus* by the Cienfuegos custom house be refunded to that vessel.

I avail, etc.,

MARQUIS DE LA VEGA DE ARMIJO.

(*Mr. Belmont to Mr. Blaine.*)

LEGATION OF THE UNITED STATES, }
MADRID, *April* 10, 1889. }

Sir.— Referring to the department's No. 27, of February 20, 1889, calling attention to the vexatious treatment of American vessels by the Spanish colonial officials and instructing me to submit certain propositions for incorporation in the existing *modus vivendi* for the purpose of removing the causes of complaint resulting therefrom, I have the honor to report that immediately on the reception of the instructions, March 6, I had a long interview with the Minister of Foreign Affairs on the subject, and left with him a memorandum of the articles proposed. The proposition was received with favor by the Minister himself, who stated that he would present the subject for the consideration of his colleagues. Having received no communication from him in reference

to the matter, I again called his attention to it in another interview on the 7th instant, and was informed that he had consulted with his colleagues on the subject, and that the difficulty in the way of the Spanish Government acceding to the proposed addition to the *modus vivendi* was that it involved an entire change in the method of administration, which the Government was not at present prepared to undertake.

I have, etc.,

PERRY BELMONT.

(*Mr. Blaine to Mr. Belmont.*)

DEPARTMENT OF STATE,
WASHINGTON, *May* 1, 1889.

Sir.—I have to acknowledge with satisfaction the receipt of your No. 12, of the 10th ultimo, whereby you acquaint me with the favorable action of the Government of Her Majesty the Queen Regent, upon the complaint heretofore urged by this Government, that in the collection of tonnage dues on the entrance and clearance of vessels in the Island of Cuba, the customs authorities of that island had persisted in a serious discrimination against vessels of the United States as compared with Spanish vessels, in that the latter were favored, by reduction of or exemption from tonnage dues because of a previous or subsequent voyage between Cuba and the peninsula.

It is gratifying to observe the statement of the Marquis de la Vega de Armijo, in his note to you of the 1st of March last, a translation of which accompanies your dispatch of the 16th ultimo, that on the 26th of February, 1889, the Governor-General of Cuba was notified that it had been found that in the collection of this class of duties there had been an infringement of the stipulations of the existing commercial agreement and a failure to observe the "absolute equality" with which Spain engaged to treat the vessels of the United States and those under her own flag. It has not been at any time doubted that the sense of justice in the Spanish Government would recognize the force of the considerations heretofore presented by this department in its instructions to your predecessor. The result now reached is welcome as removing a notable obstacle to the full and natural interchanges of the United States with their nearest and most productive neighbors of the West Indies.

The note of the Marquis de la Vega de Armijo only mentions orders of refund having been given in the solitary case of the *Uranus,* which was brought forward as an illustration of the inequality complained of in the department's instruction of February 28, 1888, rather than as the occasion of that complaint. It appears from the reply of his excellency that the subject is broadly dealt with, to the end of settling the important principles involved; and it is, therefore, assumed that the orders given to the Governor-General of the Island of Cuba are ample to remedy other cases of erroneous and excessive collection of tonnage dues which may be duly shown, to the disadvantage of American vessels engaged in the same or similar voyages with favored Spanish vessels. You will make inquiry on this point, and if it should appear that the reparation announced in the note of the Minister of State only extends to the case of the *Uranus* you will ask that steps be taken to make the remedy effective in all proper cases of like unwarrantable exactions.

I am, etc.,

JAMES G. BLAINE.

AN INCIDENT AT A ROYAL REVIEW IN MADRID.

(New York Herald, February, 1889.)

A private letter from Madrid, received here, dated February 14th, says:

"During the military manoeuvres to-day a dramatic little incident occurred in which the American Minister, Mr. Perry Belmont, played a commendable part. The reviewing ground is about three miles out of the city. The Queen and all the high court officials were present, and there was an immense concourse of people. During one of the manoeuvres an artilleryman was thrown from his horse and before the onward rush could be checked, he was run over by the gun carriage and badly hurt, his leg being broken.

"The point at which the accident occurred was just opposite where the American Minister was looking on from his carriage. Mr. Belmont at once alighted and had the wounded man put in his carriage and driven to the hospital, some miles away. This humane and graceful act was loudly cheered by the crowd, and the Commander-in-Chief rode up and tendered Minister Belmont his thanks in person."

SUBSEQUENT TO DIPLOMATIC MISSION.

RESIGNATION OF SPANISH MISSION.

(New York Herald, April 12, 1889.)

There has been more or less foolish gossip published about some supposed rudeness of Secretary Blaine toward Minister Perry Belmont, at Madrid, such as that Mr. Blaine had asked for Mr. Belmont's resignation very sharply. The truth is, that Mr. Belmont, like many other foreign Ministers, sent in his resignation to the incoming administration, and so far from its being hurriedly accepted, Secretary Blaine sent him a cable asking him, if not disagreeable to him, to remain at his post until his successor should arrive; and by mail, Mr. Blaine sent Mr. Belmont the very pleasing letter:

DEPARTMENT OF STATE,
WASHINGTON, *March* 11, 1889.

Sir.— On the morning of the 1st instant, a telegram was received from you, reading as follows:

"I hereby request my resignation as Minister placed at President's disposal.

"BELMONT."

Your request has been complied with, and I am directed by the President to inform you that in deference to your expressed wish, your resignation is accepted, with regret that your voluntary retirement deprives the service of a faithful and competent representative. While it is naturally inferable from the language of your telegram that you hold yourself at the disposal of the President, and while it is gratifying to assume that you will continue to acceptably perform the duties of your office until your successor's arrival, it appeared courteous and proper, in advising you by telegraph of the acceptance of your resignation, to ascertain your willingness to remain at your post until relieved, and I have accordingly to-day telegraphed you, saying your resignation is accepted,

and asking whether it would be agreeable to await the arrival of your successor.

Pending the receipt of your reply to this inquiry, further instruction in regard to the presentation of your letter of recall is necessarily deferred. The President has sent to the Senate the nomination of ex-Senator Thomas W. Palmer of Michigan, as your successor.

I am, etc.,

JAMES G. BLAINE.

THE PARIS EXPOSITION, ITS POLITICAL EFFECT.

(New York World, Interview, May, 1889; Paris Correspondence.)

Ex-Minister Perry Belmont, accompanied by his mother, Mrs. August Belmont, arrived a week ago from Madrid. As the author of the bill in Congress which rendered a proper representation from the United States possible at the Exhibition, Mr. Belmont has been the recipient of numerous courtesies at the hands of the French Government. When on the opening day, President Carnot reached the American section, and in the presence of the United States Commissioners and of the exhibitors declared the department open, Colonel Lichtenstein, of the Presidential military household, who, owing to his perfect knowledge of English, acts as Master of the Ceremonies where English-speaking personages are concerned, stepped forward and asked General Franklin if Mr. Belmont were present. The President, he declared, very much desires to make the acquaintance of "that warm friend of France." Mr. Belmont was then presented in due form, and the two gentlemen exchanged a few pleasant words. Before the President quitted the American section he was observed to eye Mr. Belmont somewhat closely, and on leaving exclaimed in the hearing of several American gentlemen:

"I am extremely glad to have made Mr. Belmont's acquaintance. He is one of the few men whom I have met who have refused the ribbon of the Legion of Honor."

It is a fact but very little known outside the precincts of the Ministry of Foreign Affairs in the Quai d'Osai that the French Envoy at Washington was instructed by his Government to offer to Mr. Belmont the cross of the Legion of Honor for his services in Congress in furthering the success of the Exposition, and that he deemed it his duty to refuse the much coveted honor.

The World correspondent found Mr. Belmont to-day at the Hotel De Holland. In reply to the question as to what he thought of the Exhibition he said:

"It is nothing but another proof of the vitality and recuperative powers of France's industries and commercial prosperity. The chief significance of this, as of most of the international exhibitions hitherto held in France, lies in its political effect both at home and abroad. For

the moment all internal plots against the continuance of republican institutions have sunk into obscurity and appear to be no longer dangerous. Among the great powers, which have for political reasons refused to take part officially in the Exhibition, there is an unmistakable evidence of the widespread and wholesome respect for strength and durability of the Republic and a distinct, even if reluctant, recognition of the irresistible growth of liberal ideas in Europe. It remains now to be seen whether the Eiffel tower is to represent another beacon of light, liberty and peace, or whether it will turn out to be a huge lightning-rod to attract European jealousies and concentrate the thunders of a European war. We in America can only feel the deepest interest in the Exhibition and all that it implies. We should in every way show our warmest sympathy for its promoters."

"What do you think of the prospects of President Carnot and of the French Ministry?"

"I think," replied Mr. Belmont, "that both are stable. Mr. Carnot I particularly admire, and he is growing stronger and more popular every day. I feel certain that in the autumn elections Republican principles will triumph and that the reactionaires will have even fewer seats than at present, in the Palais Bourbon."

(Boston Transcript, May 20, 1889; Paris Correspondence.)

* * * America is the only great country that participates officially in the fair. The monarchial powers of Europe, even liberal England and Italy, which owes its unity to France, turned the cold shoulder to the third republic, when invited to the Champ-de-Mars, where was to be celebrated the centenary of the great Revolution. While the people of these kingdoms are represented by worthy exhibits, the governments of these pouting kings have held aloof. But this silly conduct will only strengthen republicanism in France — for the world will soon perceive that the Exhibition has been a grand success without the aid of royalty.

Hence it is that the hearty co-operation of republican America, both official and private, has been warmly appreciated; and this appreciation has been shown in many ways. * * *

But this feeling of gratitude was shown in a far more notable way on Inauguration Day. On that day General Franklin, the American Commissioner-General, in full uniform, stationed himself at the United States section, and as President Carnot, surrounded by the Ministers, his military household and other official dignitaries, approached the General, he turned and shook him cordially by the hand. At this moment, Mr. Perry Belmont, who had secured a leave of absence from Madrid, for the express purpose of being present at the ceremony, was introduced to the President as the gentleman who, as chairman of the Foreign Affairs Committee of the House, had done more than anybody else to secure the official acceptance on the part of the United States of the invitation of France.

Thereupon M. Carnot, bowing to General Franklin and Minister Belmont, said with evident feeling:

"We deeply appreciate the hearty way in which the great Republic has responded to our call. I see that the old friendship has not grown cold."

FROM THE QUEEN REGENT OF SPAIN TO MRS. GROVER CLEVELAND.

(Messenger, Paris, France, June 14, 1889.)

Mrs. Grover Cleveland is in receipt of an autograph picture of the Queen Regent of Spain.

When Minister Perry Belmont called upon the latter, she expressed a great interest in Mrs. Cleveland, and said that she wished to present her with a photograph. Mr. Belmont said he would be glad to take charge of the picture. The Queen thereupon wrote her name on a recently taken picture, and gave it to our Representative. The photograph has just reached the United States.

REPUBLICANISM IN EUROPE.

(New York Times, Interview, September, 1889.)

Mr. Perry Belmont, ex-Minister to Spain, who has just returned from Europe, last evening spoke freely to a Times reporter of matters that had fallen under his notice. He spoke particularly of the stability of the French Republic and the growth of public sentiment in favor of republican institutions, particularly among those nations which, since the French Revolution of 1789, had been permitted to experience for brief periods republican government. He frankly stated his belief that if another European war occurred it would result in the establishment of one, if not two, additional republics. It was to head off this danger, perhaps, quite as much as to retain the peace of Europe, that the triple alliance had been formed.

The French elections were in progress while Mr. Belmont was upon the water, and he, therefore, had no opportunity of personally observing them; but, noticing in the papers that the vote for Boulanger in the Montmartre district had been nullified and the Labor candidate declared elected, he made an interesting explanation as to how this had been brought about. He said that a new law regulating multiple candidacy went into effect for the first time at this election. In the French elective system there are no nominating conventions. It is open to any one who is eligible to declare himself a candidate, but this new law, which went into effect on Sunday last, requires that the declaration of candidacy shall be legalized by the Maire of the arrondissement, and the Maire is prohibited from legalizing any signature not known to him, or which is not made in his presence. It was easy enough to understand that with the law confronting him and a judgment of the High Court depriving Boulanger, Rochefort and Dillon of civil rights there was not a Maire in all France who was willing to countersign and legalize the declarations of either of them. Consequently the votes cast for the opposing candidates were the only ones that could be counted as legal The result of the French elections was not so especially significant as a personal defeat

of Boulanger. It was a victory over all the elements which threatened the continuance of republicanism in France and especially over the adherents of the Comte de Paris.

THE INTERNATIONAL CONFERENCE.

Speaking of the International Conference to be held in Washington next month, Mr. Belmont said that as he had represented in Congress for eight years a maritime district, and had introduced the bill authorizing the conference, he felt much interest in its proceedings. Every day disclosed some disaster or narrow escape, proving how necessary it was to have an international code of signals which would enable vessels to indicate in what direction they were going in a fog. Whatever point of disagreement might arise upon other questions to be submitted to the conference, it was absolutely certain that all maritime powers would agree to the code of signals adopted by it, and this must of necessity add greatly to the security of life and property at sea.

"What about this proposed congress of American nations?" the reporter asked. "Did you propose it?"

"Certainly, I did," Mr. Belmont replied, "and made a minority report against the bill because it seemed to me in many respects crude and ill-considered. The proper way to reform the tariff was within and not from without. But after the Mills bill had passed the House, I withdrew all opposition to the Congress of Nations bill, and recommended its passage as amended in committee."

"What do you think about the practical results?"

"There have always seemed to me to be three controlling influences behind this project. First, the steamship subsidy people, and they are still there; second, Protectionists who feel the necessity of foreign markets for our products, but do not seem to wish to reverse the policy of their party; and third, theorists who believe in a court of arbitration, which would be as impracticable as their other proposition of a monetary conference, with Europe left out. But as the Congress has been called, it is to be hoped that full scope and effect will be given to it, and I can see many ways in which the commerce of New York can be benefited by the opportunities which the congress will afford."

"After all, however," Mr. Belmont continued, "it is only a modification of President Arthur's scheme of reforming the tariff by treaty instead of by law."

(The Empire, Toronto, Canada.)

The United States is apt to be led astray in forming an estimate of foreign political institutions. Mr. Perry Belmont, a well-known Democrat, lately Minister to Spain, has been "speaking freely" to a New York Times reporter, and commits himself to the opinion that as the result of his observations he believes that if another European war occurred it would result in the establishment of one, if not two additional republics. Fortunately, perhaps, for the reputation for sagacity of Mr. Belmont, he refrained from specifying the countries in imminent danger of falling under republican rule. Certainly not Spain, we may be sure, where the instincts and principle of the people are against it. Germany and Austria are out of the question, while the wisest observers predict no such change in Italy. Seeing that the principal republic in Europe has just passed through a trying ordeal, and is by no means safe yet from the dangers of faction and internal discontent, the other nations of Europe are not likely to pine for a condition that would not suit them. But it is the fashion of our good cousins over the border to think that all the peoples of the world set their watches by Uncle Sam's clock, and perhaps it would be harshly inconsiderate to rouse them from their pleasant dream.

(New York Evening Post.)

The warning paragraphs printed in another column to-day from the New York Commercial Bulletin are timely. The Bulletin has had exceptionally good sources of news of the International Conference, and sagacious comments thereon. It looks to-day as if the Conference is, as the Bulletin says, "likely to degenerate into a common subsidy scheme," but this result can, by the newspapers, be prevented if the work is taken hold of in an unpartisan way, so far as the Democratic or Republican parties are concerned, by those who wish free trade to spread all over this hemisphere. Mr. Perry Belmont was recently reported by the Times as saying that, as Chairman of the House Foreign Affairs Committee, he at first resisted the scheme of a conference, because he even then discerned the subsidy lobby as the chief promoter, and because he felt that nothing could really benefit our trade south of the equator so long as our taxes prevented our manufacturers from underselling Europeans in South and Central America. He made on that ground a minority report, but when the Mills bill had passed the House, he yielded his opposition. Harrison and Blaine took at first a petty view of the statute convening the conference, and fancied that it was to be sat upon because of Democratic origin, and, in that sense, the American delegates were selected with the hope of giving the subsidy lobby the lead, and so discrediting the conference.

THE MILLS BILL.

THE DUTY ON WORKS OF ART.

(New York Sun, December, 1889.)

To the Editor of the Sun:

Sir.— The Sun of this morning asks why, in a letter recently published by me, there is no reference to "the fact that the late tariff bill produced by his friend, Mr. Mills, championed by his other friend, Mr. Cleveland, and supported by Belmont himself, failed entirely to provide for the repeal of this much-denounced duty" — the import duty on foreign works of art.

The Mills bill, when reported from the Ways and Means Committee, did contain such a provision, which was inserted at the earnest solicitation of the friends of the repeal of the duty. The provision was afterward struck out by the action of the Democratic caucus of the House, and it was mainly for this reason that my own support of the Mills bill was confined to a mere vote, and that in the form of a pair for the bill on its final passage.

As to the criticism of Mr. Harrison's message, it should be remembered that Mr. Arthur and Mr. Cleveland never failed to make special recommendations in their messages for the repeal of the duty. This was done, probably, at the suggestion of the State Department, which has always been fully informed of the urgent representations constantly made by the French and Italian Governments. I, therefore, ventured to speak of the omission in Mr. Harrison's message. His failure to make such a recommendation is particularly remarkable, while our present Ministers in Paris and in Rome have undoubtedly again called the attention of our Government to this matter, which is not an unimportant one for Congress to consider.

NEW YORK, *December* 17.

PERRY BELMONT.

(New York Sun, December, 1889.)

When the Hon. Perry Belmont was explaining the other day his relation to the Mills bill, and his opinion respecting the neglect of that great effort of statesmanship to repeal the duty on works of art — a measure of which Mr. Belmont has always been a conspicuous champion — we rather regretted that he did not go on and give a more complete account of the reason why Mr. Mills and his associates left that objectionable duty untouched, notwithstanding their great zeal for smashing the tariff generally.

We suppose the real reason for this curious inconsistency must be sought for in the platform of the National Democratic Convention of 1884. In that declaration of principles we find the proposition that "the necessaries of life not produced in this country shall come in free, and that all articles of luxury shall be taxed as high as possible up to the collecting point."

Now, works of art are not necessaries of life, but articles of luxury; and for this reason it probably was that Mr. Mills kept his destroying hand away from this unnecessary duty, which Mr. Belmont is so anxious to have abolished. In other words, he did not see his way clear to depart from the Democratic platform in that respect, much as he may have been willing to revolutionize it in some other particulars.

Mr. Belmont was a member of the House during the whole episode of the Mills bill, and as he himself shows, refused to vote in its favor, though his opposition to it was not excessive or extravagant. Thus, though a Democrat, he was not afraid to put himself on the record as hostile to that declaration of the Chicago Convention which we have just quoted. There is nothing in human conduct that is more manly or admirable than the firmness of the statesman who, upon grounds of principle and conviction, does not hesitate to oppose and counteract the doctrine and policy of his party:

"Justum et tenecem propositi virum,
Non civium ardor prava jubentium,
Non voltus instantis tyranni,
Mente quatit solida."

(New York Sun, December 29, 1889.)

To the Editor of the Sun:

Sir.— The Sun of this morning refers to my communication of December 17th upon the duty upon works of art, and regrets that my explanation was "not quite complete." I regret it also, although at the time I wrote, the subject seemed to me to have been so often threshed over, in and out of Congress, as to make further explanation rather superfluous. But when the Sun itself is obscure, there is certainly need of more light, and I hope you will not consider my presumption very great if I again address you in the endeavor to place the matter as clearly as possible before your readers.

There is really no reason why the friends of the repeal of the discriminating duty on works of art and the believers in the tariff views of the Sun should not agree in regard to the repeal, because the discriminating duty is one entirely outside of the general system of our tariff laws and is to be discussed on different grounds. One provision incorporated in the Mills bill by Mr. Mills and his associates of the Ways and Means Committee, and then reported by him to the House from the committee, referred principally to paintings and statuary, and not to articles in general coming under the somewhat vague description of works of art. Why the Democratic House caucus struck it out of the bill is more difficult to explain than is the general want of information on the subject.

The present law operates as follows: A picture or a statue, signed by an American artist, and produced in a foreign country, enters free of duty; but a picture or statue produced or signed by a foreign artist, and imported through our custom-houses, is charged a duty of thirty per cent. American art students are admitted freely to the Government schools of art in France and Italy, but the productions of masters and instructors, such as Cabanel or Bonnal, pay the thirty per cent. duty while the works of their American pupils, Stewart or Sargent, enter free. To the credit of American artists, at home and abroad, they do not desire this unjust discrimination in their favor, and a league has been formed for the purpose of urging Congress to remove the humiliating blot from our statutes. The French and Italian Governments, as I have already pointed out to you, do not cease to represent to our Government the obvious injustice of such discrimination while American students are so well received at the Government schools in Europe.

Foreign governments do not venture to make similar official protests against any other part of our tariff laws. There is no discriminating duty in favor of American manufacturers of cloth in foreign countries, or of bric-a-brac, or any articles whatever which might possibly be produced abroad by Americans. The discriminating duty on paintings and statuary stands out apart from all other provisions of our tariff law. It is for this reason that athough I have never yet had the good fortune to find myself in agreement with the Sun on tariff questions, I am not without hope in this instance.

Now can I agree in the view expressed in the Sun that to be in favor of this repeal it is to oppose the provision in the platform adopted by the Democratic party, that "the necessaries of life not produced in

this country shall come in free, and that all articles of luxury should be taxed as high as possible up to the collecting point." The Mills Ways and Means Committee did not think so, for, as I have said in my previous communication to the Sun, and now repeat, the committee adopted and reported to the House the provision of repeal. If a painting is a luxury it is equally a luxury whether the production of an American or a foreign artist; both should be taxed or neither. But Congress has evidently not considered all paintings and statuary mere luxuries, or the American artist abroad would not have been allowed to enter his production free of duty. The Senate tariff bill of the last Congress exempted etchings from duty if made more than twenty years before importation, antiquities produced before the seventeenth century, and paintings imported for educational purposes, or for presentation to any public institution.

I have no doubt the Sun can give a generally accepted definition of an "article of luxury," in the sense of political economy, or tariff taxes, or in any sense, although the word "luxury" evades specific definition. Can it be said that all expenditure for enjoyment is a luxury? For instance, a racing stallion imported to improve the breed of serviceable horses is not, under the law, considered a luxury. I can not think that the Democratic platform intended to classify as "an article of luxury" a painting imported for educational purposes, or that it upholds an unjust discrimination in the tariff.

You are quite right in saying that my opposition to the Mills bill was not "excessive or extravagant," for I am on the record as paired in favor of the bill, and have voted for every tariff reform measure which has appeared in the House during the last eight years. I would put customs taxes, as far as possible, on the shoulders of those best able to bear the burden, and I would for that reason remove the customs tax from raw wool, from all ores, and generally from all the raw materials of our manufactures.

NEW YORK, *December* 26. PERRY BELMONT.

PRESENTATION BY FRANCE OF THE CROSS OF THE LEGION OF HONOR.

Paris, le 10 Febrier, 1890.

Monsieur — Il m'est bien agréable de vous faire connaitre que M. le President de la République, voulant vous donner un lemoignage particulier de sa haute bienveillance, vient, sur ma proposition, par un Decret, en date du 6 de ce mois, de vous conférer la croix de Commandeur de l'Ordre National de la Legion d'Honneur.

Je me felicite d'avoir été a meme de faire valoir les libres que vous vous etes acquis a cette marque de distinction et je mémpresse de vous transmettre le Brevet et les insignes de l'Ordre.

Receivez, Monsieur, les assurances de ma consideration la plus distingueé.

Le Ministre de Affaires Etrangiers.

E. SPULLER.

Monsieur PERRY BELMONT:

Ancien membre de la Chambre des Representatives, Ancien Ministre des Etats-Unis d'Amerique a Madrid.

ACCEPTANCE OF THE DECORATION OF THE COMMANDER OF THE LEGION OF HONOR.

Monsieur le Ministre, en recevant la haute distinction que la bienveillance de M. le Président de la République à bien voulu me témoigner, je ne saurais vous exprimer toute ma reconnaissance, et je m'empresse de vous faire connaître comme il est agréable à un Américain de se trouver associé à l'ordre national de la Légion d'Honeur.

J'ai eu le bonheur, comme Président du Comité des Affaires étrangères de la Chambre des Représentants d'éveiller les sentiments d'amitié et de reconnaissance envers la France qui se trouvent dans le cœur de notre peuple, et j'ai eu seulement le mérite de reconnaître le point cardinal de la politique international actuelle des peuples libres, c'est-à-dire, de secourir tous les vœux de la France républicaine. Car pour toul républicain la

France est une seconde patrie, et les Amériques Espagnoles du Sud, ainsi que nous de l'Amerique du Nord, verront toujours dans la France la mère patrie de la Liberté. Nous au Nouveau Monde jouissons en paix et en tranquilité les bienfaits de la liberté, mais c'est à la France les luttes et les batailles et c'est à la France les honneurs des victoires pour la cause commune de l'humanité et de la civilization.

Veuillez agréer, Monsieur le Ministre, l'expression de ma parfaite et haute considération.

PERRY BELMONT.

(New York World, March 3, 1890.)

The President of the French Republic has conferred upon Perry Belmont the decoration of Commander of the Legion of Honor, in recognition of his service to the Republic in connection with the late Paris Exposition. There are four grades in the Order: Chevaliers, Officers, Commanders and Grand Cordon. The degree of Commander is, therefore, next to the highest and is the same rank as was conferred upon Mr. Edison.

When France, three years ago, invited all nations to take part in an exhibition to commemorate the Revolution of 1789 and the fall of the Bastile, the European monarchies frowned upon the project, just as to-day they refuse to recognize the Republic of Brazil. Under these circumstances the attitude of the United States became of serious political importance to the French Republic, which at that time was menaced by Boulanger and the monarchists. Mr. Belmont, as chairman of the Committee on Foreign Affairs, secured the adoption by Congress of a resolution cordially accepting the invitation of France and affirming the confidence of the United States in the performance of republican government in France. The French Republican newspapers extensively copied and commented upon the points thus made and the action of the United States produced a very friendly and favorable feeling among the supporters of the Government.

The proposition was advanced at the time to confer the decoration now awarded, but Mr. Belmont's official position precluded him from accepting it. At a later period, when he was Minister to Spain, the suggestion was renewed with like result. Being now in private life, Mr. Belmont feels at liberty to accept the honor, especially as it is distinctly tendered in acknowledgment of his support of republican institutions. A graceful letter from the French Minister of Foreign Affairs accompanies the decoration.

UNJUST TREATMENT OF INDIANS.

(New York World, Interview, January 4, 1891.)

Ex-Congressman Perry Belmont, who speaks from personal investigations, heartily indorses the stand which the World has taken in the matter of Indian persecution, and enforces his views by comparison with the Canadian system of managing the red skins.

"A few years ago," said Mr. Belmont, yesterday, "I made a trip through Northwestern Canada, in company with Count Turenne, of France, a descendant of the famous warrior, and I made a special study of the Indian question as it is handled there. I was struck at first glance by the fact that no such thing as an Indian outrage seemed to be known in that country, and that there was no apparent effort to keep the natives in subjection. They came and went wherever they chose, just as the other inhabitants of the country, and seemed to be under the same laws and regulations as ordinary citizens. There were a few mounted police and occasionally officers of the Hudson Bay Company at the stations of that corporation scattered over the country, but no soldiers.

"It has been alleged that these Indians are a different race from those in this country, but this is untrue. Very many of them came originally from the United States and they all belong to the Black feet and other tribes which are found also in this country.

"The whole difference, as I found it, was due to the manner in which the Canadian Government had treated the Indians. They had never been regarded as hostiles or enemies, and no attempt had been made to subject them to any discipline different from that which other men had to endure. But, above all, they had been honestly treated. A cardinal principal of the Hudson Bay Company had been to deal honestly with the Indians; of course they were charged enormous prices for goods of trifling intrinsic value, such as beads and trinkets, but the bargains once made were scrupulously kept. The Indians themselves, whatever may be said to the contrary, are an honest race. They will keep their pledged word with their lives if necessary. But once the white man's government breaks a promise or a treaty, the Indian has no further faith in him. There is no qualification of honesty in the Indian nature; once false is always false with them. The Government of the United States, through

its agencies, has robbed and oppressed the Indians for years, and solemn treaties have been broken without scruple whenever white cupidity led to a desire for Indian lands. The Indian Bureau has been a rank offense in honest men's nostrils for a generation, and the agencies have become stations where the natives were plundered in the name of the law and with the backing of the soldiers. The result is to be seen in South Dakota now.

"In Canada I found one old man and his son in charge of an agency four hundred miles from any settlement. They had lived there that way for years and were surprised that any one should suppose their situation dangerous. I saw an Indian who had murdered his wife brought in one hundred miles over the plains under no escort but that of two mounted policemen, and no one thought of such a thing as an attempt at rescue being made. The Indian was given a regular trial, just as a white man would have had, and was defended by the Catholic priest of the station, who was learned in the local law. I never knew whether he was convicted or acquitted, but I was struck by the marked difference in the treatment of the case there from the manner in which it could have been handled in this country."

(New York World, January 6, 1891.)

Ex-Congressman Perry Belmont's interview in Sunday's World on the Indian problem recognized the important fact lying at the base of our Indian difficulties. It is because the Canadians deal honestly with the Indians that they have no wars, and because we are dishonest that we have wars.

The problem is not the same in the two countries, it is true. Different conditions prevail, and it is undoubtedly not so difficult for the Dominion authorities to maintain the Government's faith with the Indians and to treat them simply as part of the population. The Government of the United States is, in too many instances, moved to acts of injustice by greedy and unscrupulous settlers, the same class being not so numerous and exacting in Canada.

At the same time our Indian troubles are the result of a bad policy and of the dishonesty of Government agents. An eye-witness reports that he never saw the Sioux so emaciated by hunger. Why are they hungry? Because they have been the prey of a horde of politicians. They are fighting because they are hungry, and they are fighting against such odds that they know the result must be their virtual extinction. They prefer, however, to be killed by the soldiers than to be starved by the politicians. So the dishonesty of the Government, which Mr. Belmont contrasts with the conduct of Canada, is responsible for the blood of Indians and soldiers that to-day is, perhaps, staining the plains.

It is a striking commentary on the kind of administration we have that in the face of all that is being revealed and all that is happening, Secretary Noble has the effrontery to indignantly insist that his department is capable of taking care of the Indians without interference from outsiders.

THE SARATOGA PLATFORM.

(New York Herald, Interview, February 18, 1892.)

Perry Belmont, ex-Congressman and Minister to Spain, yesterday broke a political silence of several years in no uncertain manner.

When I questioned him concerning the issues presented by the recent Cooper Institute meeting in this city, he said:

"The Long Island Democrats are not much excited over the question whether Democrats in the farming counties of the State shall go to the primaries in sleighs or in wagons. The older Democrats know that a February convention is not an anomaly in Democratic procedure in this State."

"But did not the recent meeting present any other than the 'sled or wheel' issue?"

"If it did," answered Mr. Belmont, "the issues were well veiled. The resolutions and speeches only affirmed that by requiring Northern Democrats to go in sleighs the State Committee had been guilty of a breach of trust and that Democratic preferences in respect to tariff, silver and a candidate for President could not be fairly developed unless Democrats went to the primaries on wheels. The speeches and resolutions formulated no scheme of a Democratic tariff, whether it should be one only for revenue, as Mr. Mills advises, or a 'judicious' tariff, such as General Jackson urged about seventy years ago, as a Democratic tariff. But in this connection it may be well to recall Mr. Anderson's speech at the Tammany Hall ratification meeting of October, 1890, when he said:

'The Democracy calls together all Democrats and demands that they should stand side by side, shoulder to shoulder, with their faces to the common foe. Three years ago Grover Cleveland sent his memorable message to Congress in which he protested against the policy of taxing the whole people for the benefit of special industries. There is to day no stronger champion of these principles, no man whose arguments are more convincing, more forcible; no voice which is heard in louder and more intelligent protest against the injustice of high tariff legislation than the voice of David B. Hill.'

"Nor did the Cooper Union meeting present a plan in regard to silver and full legal-tender notes — such a plan as can and should reconcile the conflicting views of Western, Southern and Eastern Democrats gathered in a national convention. Nor did the meeting give us outsiders new advice for a selection from among the rival candidates for the Presidency."

"Whom do you prefer," I inquired of Mr. Belmont.

"I prefer above all others a New Yorker. New York is a State so large and contains so much of every interest — farming, commercial, railway, manufacturing, mining and producing in every form — that it well represents the varied interests of the whole country, and if the Republican candidate is to be from the West let the Democratic candidate be this year from New York."

"What is your plan for a national platform?"

A PLATFORM OF FEW ISSUES.

"The last Saratoga platform seems to me excellent and sufficient, with an addition specially condemning the Force bill, but for the majority of voters there need not be a multiplicity of issues. You probably remember that in 1847, when the Whigs wished to defeat Cass and turn out the Democrats, who had conducted our Federal affairs under Polk, the Whigs nominated Taylor on no platform at all and won. Democrats in every State say, 'turn out' the men who devised, executed and approved the doings of what has become known as the 'Billion Dollar Congress,' the two McKinley laws, the illogical Sherman silver law that is driving us to a silver basis, or, what is even worse, to a full legal tender Treasury note basis. A single denunciation of the acts of what they know as the 'Billion Dollar Congress' would satisfy the Democrats of Long Island. They wish first of all and most of all to turn out of office the Republican administration responsible for that Congress. They will be content to postpone merely formulating needed reforms until Democrats are in full power in the White House. It is the business of an opposition party to oppose — and Democrats are now the opposition."

"When Mr. Gladstone, who has many enthusiastic admirers among our countrymen, is pressed by Tories to tell what he will do with Ireland when he gets into power, he usually answers, 'Wait till that time comes and I will tell you.' There must be some good diplomatic work done in London, Berlin and Paris before the silver question can be arranged safely."

TAMMANY AND THE MACHINE.

"But, Mr. Belmont, what about Tammany Hall, the 'machine' and all the rest of the mugwump complaint?"

"The Democrats of Long Island are not in a state of mind about Tammany, the 'machine' or a Democratic 'boss.' They know that Tammany was established over a hundred years ago as a city organization. Outside of city affairs Tammany is subordinated to the Democratic leaders in other parts of the State. In State and national affairs Tammany does not try to lead, and could not lead if it tried. Democrats think it perfectly right that Mr. Croker should confer with Mr. McLaughlin and Mr. Murphy and national leaders as well."

"As to the 'machine' there always has been one and will be one in representatives governments, where universal suffrage and the caucus prevail. In New York there have been Clinton's, the Albany Regency, Van Buren's, Marcy's, Crosswell's, Seymour's, Dean Richmond's, Tilden's and Manning's. The Whigs and Republicans of New York have had Thurlow Weed's, Conkling's and now Platt's. A party must always have a leader who leads or expect always to encounter defeat. It is impossible for either of the two great parties to recognize newspapers as establishing ruling leadership, however wise and farseeing may be the editors, and for this reason, among others, that the rival editors won't agree to act in harmony."

"What is your explanation of Senator Hill's sudden prominence as a Presidential candidate?"

"The case is easy to see," said Mr. Belmont. "Up to the writing of Mr. Cleveland's silver letter all other Democratic aspirants were silent. That letter released them. Immediately they appeared all over the country — Boies in Iowa, Russell in Massachusetts, Pattison in Pennsylvania, Gray in Indiana, Campbell in Ohio, Carlisle in Kentucky, and so on.

PARTISAN ABUSE MADE HILL.

"But it was the Republicans and mugwumps that actually made Hill a Presidential candidate in this State. They made what they call 'Hillism' the issue in the last campaign, and 'Hillism' won by 50,000. Then in exasperation of a crushing defeat they went so far as to say that Hill was trying to 'steal' the Legislature by violating the law, and demanded that he should submit to the judicial power. Failing in that they said that when Hill arrived in Washington he would disappear forever. But, on the contrary, his power and importance are greater now than ever before. And then, too, his Elmira and Albany speeches have presented to the Democratic masses the doings of the 'Billion Dollar Congress' as a clear, well-understood and well-appreciated issue. Those speeches captured the Democratic voters in the State. But as a controlling reason Senator Hill appeals powerfully to the average Democrat as a leader who leads to success."

"What do you think, Mr. Belmont, of the conduct of foreign affairs by the administration?"

"There is not much to be said in the space of an interview, but neither the theory of our laws nor the statutes contemplate the management of the Navy and State Departments by one Cabinet Minister. Out of that came, I believe, the Barundia episode. Even the Behring Sea difficulty would have had no chance of adjustment but for the pressure exerted upon the President by the Supreme Court and powerfully supported by the Herald.

THE CHILIAN AFFAIR AND RECIPROCITY.

"I can not understand why the one hundred and sixteen seamen were allowed to go ashore from the Baltimore into such an excited community as the President described Valparaiso to have been at that time, unless a riot was expected. The doctrine of the President's message is certainly a new one — that an assault on a sailor is as grave an offense as an assault on a Minister or Consul. Are we prepared to concede as much if a sailor from a foreign man-of-war should be assaulted on a New York dock? Must we apologize and pay in such a case?

"And then, too, does the immunity of the residence of a foreign Minister embrace all of Washington? Look in General Butler's book and read how he treated, as to sentinels, the French Consulate in New Orleans. It was just what Chili did for Mr. Egan's house; and as to refugees, would we have permitted the British Minister at Washington, when Lee had surrendered his armies, not only to give Jefferson Davis an asylum in the British residence, but to transport him in safety to Canada?"

"What do you think of the reciprocity treaties?"

"That is a complicated question which would require a very long answer, particularly as to whether the idea to negotiate them under the McKinley bill first originated in the Senate, or by Harrison, or by Blaine. But I think it only just to Mr. Foster of Indiana, to say that the negotiation and the work in connection with all these treaties are his. Mr. Foster is a very competent man in the Department of State at present, although unofficially connected with it. He has been Minister to Russia, to Mexico and to Spain. He was recently sent again to Spain on a special mission to negotiate a reciprocity treaty. He has been the Acting Secretary of State at frequent intervals lately. It is strange that his merits are not more generally recognized."

THE COOPER INSTITUTE MEETING.

(New York Herald, Interview, February 20, 1892.)

When I saw Mr. Perry Belmont yesterday and asked for his opinion on Mr. Coudert's remarks in the Herald, the ex-Congressman replied:

"If the Cooper Institute meeting was not, as Mr. Coudert affirmed, called either 'to frame a national platform or dictate the policy of the party,' and there was not at all 'a question of men' to be nominated by the Democratic Convention, why was the meeting held?

"Mr. Coudert may say it was because many Democrats felt that they had been wronged by a State Convention to be held next Monday. But in what way had they been 'wronged' if they were not thinking of doctrines or men? He says the State Committee should have gracefully yielded to his protest and thus harmonize the party, although the State Committee had acted unanimously and the suggestions against a February convention were before them.

"I believe," continued Mr. Belmont, "that not all those concerned in the meeting concur with Mr. Coudert. The Brooklyn remonstrants say that more time for discussion was needed. 'Discussion' of what? They say 'the supreme importance of tariff reform and a sound currency, to which the Democracy of this State has been definitely pledged, and which have given to the Democratic party triumphant success in the late elections, demand that no hasty steps be taken.' If the State Convention next Monday shall say the right things about the tariff and silver they will have nothing to complain of."

MR. FAIRCHILD'S VIEWS.

"But," continued Mr. Belmont, "another reason is assigned by Mr. Fairchild, in his interview. 'The situation is peculiar. Only two candidates had been prominently talked of in the State of New York — Mr. Hill and ex-President Cleveland.' Mr. Coudert cared nothing for men, but Mr. Fairchild thinks differently. Assume that the issue is Hill or Cleveland, could not the Democrats of other parts of the State take care of themselves without Mr. Fairchild and the meeting in this city? Surely if there were the feeling elswhere that Mr. Fairchild describes, Democrats could vindicate themselves by going to the primaries. But Mr. Fairchild would have us believe that he and his associates ordered their friends to stay away from the primaries. He says:

The unanimous votes for Hill in some counties which were supposed to be doubtful at conventions recently held seems to mislead some of the newspapers. It was

decided a week ago that, as their convention is irregular and it is impossible to obtain a fair expression of the will of the Democratic voters under this call, the bureaucracy should be left to control its own convention, and for this reason the anti-Hill men stayed away from the primaries in many or most of the counties. Precisely what shall be done by us will be determined at our conference at Albany next Monday afternoon.

"Thus a new bureau and 'boss' were created. Mr. Fairchild, differing radically from Mr. Coudert, would have it that the meeting was convened to organize a 'bolt' from the regular Democratic organization, no matter what the State Convention may do. He says:

It is doubtless true that there are no mugwumps among the men who have been prominent in this movement, and that nearly all the men who had been connected with it intend to vote and will vote the regular Democratic ticket. This is not true, however, to such an extent of the rank and file of the movement. I have been astounded at the large number of old Democrats, not only among the business men of large connection, but among retail traders and the voters of all kinds, who say they will not vote for Hill under any circumstances if he is nominated.

DEFENDING MR. CLEVELAND.

"Is Mr. Fairchild one of the last named? Mr. Coudert, evidently, is not. That many Democrats prefer Mr. Cleveland is not denied, but the question is, what does the majority wish?

"Mr. Cleveland deserved different treatment by those who, pushing aside all others, assumed to be Mr. Cleveland's sponsors and advisers. By their wild attacks against him who had been for seven years Governor of New York, against the Democratic State officers, against the only Democratic organization in New York county, the managers of Mr. Cleveland's candidacy created a false idea that Mr. Cleveland sympathized with or tolerated those attacks. But I have never heard that either Mr. Hill or Mr. Cleveland has uttered an unkind or ungenerous word of the other. Both of them seek a united party, and each will steadily uphold whatever the National Convention may do."

NATIONAL CONVENTION.

(New York Herald, Interview, April 30, 1892.)

Mr. Perry Belmont sails to-day in La Touraine for Havre. I asked him if he intended to be absent from the Democratic National Convention at Chicago, to which he had been elected a delegate. He replied:

"Certainly not. I am going to France to meet my mother and return

with her to New York early in June by the same vessel by which I go to Havre."

To my inquiry in regard to his preference among the candidates named for the nomination at Chicago, Mr. Belmont promptly answered that his first choice is Senator Hill, not only because the New York Democracy had so decidedly pronounced for him, but because he, Mr. Belmont, believed Senator Hill to be in every way the best and safest candidate.

"Do you really think Senator Hill will be nominated?" I asked.

Mr. Belmont said that he did, and for the reason that he is confident the delegates from the West and South will give heed to the facts and opinions which the New York delegation will not shrink to lay before them, as, indeed, that delegation is in duty bound to do in justice to the Democratic delegations from other States.

THE FACTS.

"What will be the character of those facts and opinions?"

"Chiefly the record of Mr. Cleveland's inability when a candidate to enlist the full Democrat vote of New York," said Mr. Belmont. "Nobody, at least no Democrat, doubts the competency and experience of Mr. Cleveland fitting him to be President, nor will any New York delegate at Chicago question the fitness of Gorman, or Carlisle, or Gray, or Palmer. It is not at all a question, as between the candidates, of fitness, for Hill, Cleveland, Gorman, Carlisle, Gray and Palmer are each competent to be President, but the real question is what Democrat can most surely carry New York and with New York carry New Jersey and Connecticut. There will not be at Chicago any occasion for bad temper or ill-feeling. Democratic politicians in the South and West know what a Democratic organization in a State means, and they will respect the meaning. What the Chicago Convention has to do is to nominate a candidate who can preserve Democratic control over the Southern States, by a reasonable attitude toward the Farmers' Alliance, and can carry the four Northern States of New York, Indiana, New Jersey and Connecticut. That is the problem. Indiana will speak for itself, and New York, having a tenth of the population of the country and nearly a tenth of all the Presidential electors, will answer for itself.

FIGURES.

"But," I asked, "don't you really believe, Mr. Belmont, that Cleveland can carry New York next November?"

"You must find the answer in the record of Mr. Cleveland's campaign in New York," replied Mr. Belmont. "In 1882, when Cleveland ran

for Governor and Hill for Lieutenant-Governor, the former had a plurality of 192,854, but the latter had 196,781. In 1884, Cleveland had, as Presidential candidate, only 1,047 plurality, while in 1876, Tilden had a plurality of 32,818, and in 1885 Hill had a plurality as Governor, of 11,134. And more than that, in 1888, under the most favorable possible conditions, Cleveland lost New York by 13,002 and Hill on the same day carried New York by 19,171. I can not find anything to justify me as a delegate to tell anyone at Chicago that Mr. Cleveland will be even as strong in New York in November, 1892, as he was in 1888. I may regret it, and do regret it, but facts are not to be ignored, and the responsibility of each delegate requires him to consider them. It is not of much avail to go into the causes of Cleveland's falling off in New York ever since 1888, but it may be said, and will be said, that the unjust and unmeasured condemnation by Mr. Cleveland's partisans of Senator Hill and Tammany Hall, the New York Legislature and the New York Democratic organizations, explains much of it. Every Democratic politician knows how the Democratic rank and file resent unmerited abuse of their leaders who lead to success. When the Tammany voters hear themselves daily arraigned by what are known as the mugwump newspapers, and denounced as members of 'the semi-criminal classes,' they naturally resent it, and even Mr. Croker can not overcome or succeed in allaying opposition to any candidate in whose interests these attacks are made. In my opinion, one powerful reason why Governor Hill has been so popular at the ballot-boxes since 1882 is that he has been so unjustly vilified by Republican and mugwump newspapers."

"Do you mean to say," I asked, "that mugwump support of a Democratic candidate drives away Democratic voters in New York and Kings counties?"

"I have not the least doubt of it under the present conditions," answered Mr. Belmont.

HARRISON'S NOMINATION OVER BLAINE.

(Paris Edition, New York Herald, June 12, 1892.)

HAVRE, *June* 11.— I have just had a conversation on board the Touraine with Mr. Perry Belmont, who is returning to New York with his mother. Mr. Belmont is a delegate to the Democratic Convention which meets in Chicago, on June 21. I telegraph you the conversation verbatim.

I showed Mr. Belmont the Herald special cable from New York, announcing Mr. Harrison's victory, and asked:—

"What do you think of the nomination?"

"It illustrates the futility of attempting to prophesy the outcome of a National Convention. For a year past, it has in some quarters been insisted that Mr. Blaine, or rather Mr. Blaine existing in popular imagination, had only to make the slightest sign of acceptance and the nomination would be tendered him by acclamation. The truth is that the real Blaine himself has not only declared his willingness to accept the nomination, but he has been an active candidate in a hard fight and has led his friends to defeat.

"In doing this, he has in vain exhibited publicly his treachery to President Harrison, just as he in vain betrayed President Arthur in 1884.

"Why was he defeated?"

"He is again defeated because the men of his own party who have had opportunity to judge him closely in his official conduct do not trust him. They know well that there is no greater illusion than the popular idol which a large section of the press has been recklessly creating.

"It is only creditable to the people of the United States that they wish to believe as much as possible in the talents and greatness of most of their public men, and willingly place them in the front rank of statesmanship, sometimes, it must be said, on rather short notice."

"Is not that a little cynical, Mr. Belmont?"

"I don't think so, although those who are behind the scenes and see the farce going a little too far are tempted to be so. No, I admit that hero worship is a noble impulse, but it can not be safely directed by the press. Critical writers, like Henry Watterson, apply the proper corrective now and then, but unfortunately there are not many Henry Wattersons."

"Do you judge the men on your own side in the same way?"

"Yes, I am a delegate to the Democratic National Convention, and shall vote for Senator Hill, the candidate of the State of New York, for reasons which I have stated to the Herald on other occasions, and also as a protest against the sentimental and grotesque nonsense printed about Mr. Cleveland."

"But do you not make allowance for the exaggerations of campaign literature prior to a nominating convention?"

"The American people apply so much practical sense and calm judgment about everything they do that we ought to have more of this in our politics, and especially at the Chicago Convention. If we want exciting sensations, with all the noise and shouting of a mob, we can find them on the racecourses, the baseball field, or at the foot-ball matches, but a National Convention, called to nominate a candidate for the Presidency of the United States, is no place for the ridiculous and disgraceful scene witnessed at Minneapolis."

Here my conversation with Mr. Belmont terminated, and a few minutes later the Touraine was steaming out to sea, past the Havre pier.

THE PROTEST AND WARNING OF THE SEVENTY-TWO NEW YORK DELEGATES AT CHICAGO.

ROOMS OF THE NEW YORK STATE DELEGATION,
CHICAGO, *June* 20, 1892.

In reply to inquiries addressed to us by delegates from States instructed to vote for Mr. Grover Cleveland, of New York, the delegates of New York, with a due sense of responsibility to the Democracy of the United States, are constrained to make answer that in our best judgment Mr. Cleveland's nomination would imperil the success of the party and would expose it to the loss of the electoral vote of the State.

Edward Murphy, Jr., Chairman.

J. W. Hinkley, Secretary; Charles R. De Freest, Roswell P. Flower, D. E. Sickles, Perry Belmont, Frank Campbell, J. W. Hinkley, John R. Fellows, David McClure, James L. Dempsey, W. Bourke Cockran, William F. Sheehan, Richard Croker, Chauncey E. Dunckleberger, De Lancey Nicoll, Frank Rice, P. H. McCarren, William C. DeWitt, Anthony N. Brady, Hugh J. Grant, James H. Manning, H. W. Slocum, Hugh Duffey, George M. Beebe, James W. Ridgway, C. E. Renwick, John M. Bowers, S. J. Tilden, W. J. Quackenbush, John Cunneen, John E. Kraft, John Fox, Henry Bacon, John P. Adams, Jas. Kane, Frederick Cook, James W. McMahan, Henry Griffing, H. P. Cantwell, Fred. L. Newton, David Leventritt, David J. Bissell, Edwin Hawkins, Robert Hamilton, Hiram W. Babcock, Henry D. Purroy, Matthew Scanlon, Fred. C. Schraub, Franklin Bartlett, W. B. Kirk, S. R. Phelps, Clinton Beckwith, Chauncey L. Becker, Albert C. Tennant, Elliot Danforth, Francis Larkin, Jr., Levi W. Brown, Geo. Raines, Charles N. Bulger, Geo. W. Youmans, R. B. Roosevelt, John Delmar, Amos J. Cummings, A. C. Eustace, M. J. Coffey, J. E. Wood, John Foley, Solomon Townsend, John McQuade, Robert Black, James Winan.

THE COLUMBUS CELEBRATION IN NEW YORK.

A committee of one hundred New York citizens was appointed by Mayor Hugh J. Grant, to prepare a plan for the celebration of the Four Hundredth Anniversary of the Landing of Christopher Columbus on American soil. Mr. Belmont was made chairman of the subcommittee on art.

On June 14, 1892, Mayor Hugh J. Grant appointed the following additional committee of the Committee of One Hundred to visit Chicago and confer with the managers of the World's Fair, to effect an arrangement, if possible, for the postponement of the proposed dedication of the Exposition buildings October 12th:

General Horace Porter, Perry Belmont, Judge Dittenhoefer, Robert B. Roosevelt, Charles B. Peet, David McClure and James S. Coleman.

The managers at Chicago agreeing to the proposition, Mr. Belmont was appointed a committee of one to confer with Senators Hill and Hiscock, at Washington, concerning the introduction of a bill authorizing the change.

(New York Evening Advertiser, June 28, 1892.)

Mr. Perry Belmont was met this morning at the office of the Commissioner of Accounts, conferring with Commissioner Wahle, regarding the Columbian Celebration of next October.

"While," Mr. Belmont said, "as a result of our conference with the officers of the World's Fair last week in Chicago, they expressed their willingness to have the date of the Chicago celebration changed from October 12 to October 21, so as not to conflict with our celebration, action by Congress is necessary to legalize the change of date, for the Chicago celebration was set for October 12, by Act of Congress, while our celebration was provided for by our State Legislature. Senators

Hill, of New York, and Cullom, of Illinois, can easily arrange it, and it is to bring that about that I wish to confer with Senator Hill."

A BILL LEGALIZING THE CHANGE WAS PASSED BY CONGRESS.

THE FIRST ACT SUGGESTING THE CELEBRATION OF THE LANDING OF COLUMBUS, BY A NATIONAL EXPOSITION, WAS THE INTRODUCTION OF A BILL BY MR. BELMONT, IN THE FIFTIETH CONGRESS, TO HOLD SUCH AN EXPOSITION AT WASHINGTON,

[SEE BILL AND REPORT JUNE 16, 1888.]

ORIGIN OF THE MUNICIPAL ART SOCIETY AND FINE ARTS FEDERATION OF NEW YORK CITY.

On the 8th of October, 1892, Hon. Hugh J. Grant, Mayor of the city of New York, appointed one hundred gentlemen as a Committee of Arrangements for the celebration in New York of the quadri-centennial of the landing of Columbus, and for the entertainment of the distinguished foreign visitors. An Art Committee was selected by Mr. Grant, of which Mr. Perry Belmont was chairman, and Mr. J. A. Chanler was vice-chairman. The other members of the committee were Chas. G. F. Wahle, secretary, Robert J. Hoguet, Daniel G. Thompson, L. P. Di Cesnola, D. F. Appleton, Albert S. Bickmore, and Morris K. Jessup. The scope of the committee was broad. Mr. Belmont, appreciating the possibilities growing out of any action this committee might take, desired to bring about a close relation between the City Government and the members of the artistic and architectural professions, and appointed an Advisory Committee of Twelve, composed of the following gentlemen: Augustus St. Gaudens, Stanford White, F. D. Millet, J. Q. A. Ward, Richard M. Hunt, Wm. A. Coffin, Wm. M. Chase, John La Farge, Albert Bierstadt, Louis C. Tiffany, J. Carroll Beckwith and Kenyon Cox.

The result of the committee's work was made manifest in the beautiful arches erected, and the harmonious decorations which formed so marked a feature of the celebration, and which, for the first time in the history of the city of New York, were thoroughly artistic in conception and execution.

Growing out of a desire thus originated to render some permanent service to the city in the direction of art embellishment, the Municipal Art Society was formed, on March 22, 1893, with Richard M. Hunt as president. The society started with 250 members, comprising some of the leading artists, architects and sculptors in the city, as well as other gentlemen of wealth and prominence. The trustees of the society were Perry Belmont, Augustus St. Gaudens, J. Q. A. Ward, and others. The work of this committee led to the formation of the Fine Arts Federation, which was organized April 2, 1895, with Mr. Russell Sturgis as president.

On November 18, 1895, in the presence of the Mayor, the Recorder and the Justices of the higher criminal courts, three beautiful mural panels, the work of Mr. Edward Simmons, were presented to the Court of Oyer and Terminer by the Municipal Art Society.

October 8, 1892, the Loan Exhibition under the auspices of the Municipal Art Society was opened at the National Academy of Design by Mayor Hugh J. Grant. Mr. Perry Belmont responded for the Municipal Art Society.

(From the New York Herald, October 9, 1892.)

The lid of the Columbian Celebration was opened just a little ways last evening — in order to allow the friends of the Art Committee to peep in and see one of the good things which have been prepared for the world and his wife when they come to town this week.

It was a private view of the Loan Exhibition which has been gathered together in the National Academy of Design, at Fourth avenue and Twenty-third street. It was not so private as to be at all lonely, for more than 500 tickets were given out, and each seemed to bring at least a pair of art-loving people. In fact, the crush in the rooms was great enough to be uncomfortable.

Before the crowd had got so dense, there was a pleasant little gathering in the south gallery. Mr. William A. Coffin, chairman of the Sub-committee on Exhibitions, called the meeting to order and introduced Mr. Perry Belmont, the chairman of the Committee on Art.

(Summary of Mr. Belmont's speech.)

"Never," said Mr. Belmont, "has a more agreeable duty devolved on me than to assist in the formal opening of this exhibition. In its performance, allow me, Mr. Mayor, at the outset, on behalf of the Art Committee of the Columbian Celebration, to thank you for your aid and cooperation. When first appointed by you on this committee, its chairman felt it necessary and proper that an Advisory Committee of Artists and Architects be added to it, and I invited to serve on such a committee, Augustus St. Gaudens, Stanford White, Francis D. Millett, William M. Chase, J. Q. A. Ward, W. S. Vanderbilt Allen, Richard M. Hunt, William A. Coffin, Louis C. Tiffany, John La Farge, J. Carroll Beckwith, J. Louis Webb, Albert Bierstadt and Kenyon Cox.

"These gentlemen have freely given their time and their talents to the public service. Much has been accomplished, entitling them to the gratitude of every New Yorker. They have directed their attention to the artistic decorations of the city in ways well known to you, and here is fresh and striking proof of their public spirit generously emulated by their fellow artists and by the friends of American art, who have sent us pictures and collections. Yes, Mr. Mayor, when the days of our festival

are over, let it be one of its proudest memories that the Columbian Celebration marks a new era in the city's development, and that hereafter these useful and cordial relations now established between the city authorities and our artists will be maintained and promoted. Great as is the municipality, the constituency of art is greater — it is national and international. Its influence is powerful for good, and is welcomed by all who wish well to the city. For this reason your presence is especially appreciated, and I now have the honor, on behalf of the Committee on Art, to ask you, Mr. Mayor, to place this exhibition under the auspices of the city."

These complimentary words were gracefully acknowledged by the Mayor.

"I must express," he said, "the gratitude of the Committee of One Hundred to you and your associates for the admirable way you have contributed to the success of the Columbian Celebration. The idea of your committee to have the assistance of artists of the highest standing is an innovation which I hope will be followed at all future celebrations. The labors of your committee have been arduous, but they are best shown by this glorious display, and the beautiful decorations which have been put up all over the city under the supervision of the Committee on Art, bear eloquent testimony to your faithfulness and earnestness. I congratulate you in the name of the Committee of One Hundred, and in the name of the city I thank the public spirited and generous citizens who have contributed from their stores to make the Art Loan Exhibition a success."

The Mayor then declared the Loan Exhibition open.

NOT A CANDIDATE FOR CONGRESS.

(New York Sun, March 13, 1894.)

A reporter of the Sun called to ask Hon. Perry Belmont about several statements which appeared in an evening paper concerning Mr. Belmont's alleged candidacy for Congress in the eleventh district.

Mr. Belmont stated that he was not a candidate in the eleventh or any other district. The statement that he had abandoned any claim to a residence in Babylon, Long Island, was also inaccurate, as Mr. Belmont has retained his residence there and has never had any other residence.

Furthermore, the statement that he was elected to Congress in 1884 by a narrow majority of 400 to 500, running on the same ticket with the Cleveland Presidential Electors who received over 3,000 majority from the district, it is not true. It is a matter of record that Mr. Belmont was elected in 1880 by the normal Democratic majority of from 2,500 to 3,000; that in 1882 he was elected by a majority of over 13,000; that in 1884 he was elected, running ahead of Mr. Cleveland's ticket; that in 1886 he was re-elected by a reduced majority, and that every other Democratic candidate for Congress that year — the second year of Mr. Cleveland's first administration suffered in the same way. So far as declaring that he would never run again in that district, Mr. Belmont has always maintained exactly the contrary, namely, that if he ran for Congress he would not be a candidate in any other district. The fact is, he is not to be a candidate in any other district this year.

The statement to the effect that Mr. Belmont was Minister to Spain for only two months is equally inaccurate, the fact being that he resigned his seat in Congress, which he had held for nearly eight years, and his post of Chairman of the Committee on Foreign Affairs, which he had held for nearly four years, in order to accept the mission to Spain. This post was offered to him in August, 1888, and he did not accept it until November of that year.

NOT A CANDIDATE.

(New York Times, September 23, 1894.)

A friend of ex-Congressman Perry Belmont who was in Saratoga while delegates to the Democratic Convention were discussing the avail-

ability of Mr. Belmont as a nominee for Governor, said to a reporter for the New York Times yesterday:

"Several conflicting statements have been printed concerning Mr. Belmont and the conversation he had with Senators Hill and Murphy and De Lancey Nicoll, in regard to the nomination for Governor.

"The gentlemen I have named were of the opinion that if Mr. Belmont would accept the nomination for Governor, the convention would nominate him. Mr. Belmont declined to be a candidate for the same reasons that he declined to allow his friends to renominate him for Congress — for personal reasons.

"Mr. Belmont appreciates thoroughly the high compliment paid to him. He believes that Senator Hill will be elected. Mr. Belmont will do his full duty as a Democrat in this campaign. Long before the convention met he had determined not to be a candidate for public office, and in the face of a most flattering compliment he adhered to his resolution."

LETTER TO THE TAMMANY HALL RATIFICATION OF THE STATE AND LOCAL TICKETS.

October 23, 1894.

My dear Sir.— Only an important engagement elsewhere connected with the campaign prevents me from being present at the ratification meeting, to be held at Tammany Hall, Tuesday evening, at this moment, when our duty as citizens and as Democrats is so clearly pointed out to us.

First, the election of that matchless leader, who, morning, noon and night during these stirring times, gives new proof of his intimate knowledge of the needs and interests of the people, while his opponent for the Governorship is incapable of representing more than the mere semblance of a candidacy, and already there stands behind him and above him an exacting, powerful political task-master from whom all real authority would emanate. Equal in importance to the election of Governor Hill is the defeat of that vicious apportionment, the work of a partisan convention, planned solely in the interest of the Republican party.

Not less entitled to our consideration is the excellent municipal and county ticket nominated by the Democratic party. It would be particularly gratifying to be present at the ratification of Mr. Grant's nomination, not only on account of my long established personal friendship for him, commencing while we were classmates at the Columbia College Law School, but because of my admiration for his sturdy and courageous party spirit.

I believe that through the instrumentality of parties and party men the only reasonable and permanent reforms in national, State and municipal affairs can be accomplished. Mr. Grant's experience in the office to which he has again been nominated gives him great advantage in bringing about such reforms as are required in our city government. He has always been a successful candidate in this city, and the unselfish manner in yielding to entreaties in accepting his present candidacy entitles him to the warmest praise at the hands of all fair-minded men. The Democratic situation is hourly growing in strength and encouragement. By election day we shall have won a hard fought and glorious victory.

Yours very truly,

PERRY BELMONT.

To THOMAS S. BRENNAN, Esq.,

Chairman Ratification Committee, Tammany Hall.

ORIGIN AND HISTORY OF THE MORA CLAIM.

(New York Herald, Interview, August 7, 1895.)

NEWPORT, *August* 6, 1895.— In the course of a long conversation I had to-day with Mr. Perry Belmont, former Minister to Madrid, he consented to give the Herald an outline of the famous Mora Claim, and the reasons why, when he represented this country at the Spanish court, he abstained from pressing its immediate payment.

Mr. Belmont said that the claim arose out of the Cuban revolt, which began October 18, 1868, immediately assumed most formidable dimensions, and during eight years and more kept in active operations all the resources of Spain, and compelled the sending to suppress the revolt, of more than one hundred and forty thousand soldiers, and Spain's best military commanders.

"One of the methods employed to crush the insurgents," said he, "was the embargo of estates in Cuba, income from which the Government believed was in use to aid the revolt. The owners of some of the seized estates claimed to be citizens of the United States, and that the seizures had been made in violation of treaties between the two Governments and of International Law."

MANY CLAIMS PRESENTED.

"Those owners presented to our Department of State a demand that the embargoes be released, and reclamation for damages. The demands and claims were so many, and the dispute so complicated, that they could not conveniently be treated in a diplomatic way. President Grant's administration, therefore, suggested, and General Sickles, as our Minister at Madrid, concluded, in February, 1871, an international agreement for settlement of certain claims of our citizens on account of the injuries referred to.

"The claims were to be presented to two arbitrators to meet at Washington — one to be appointed by our Secretary of State, one by the Spanish Minister at Washington — and those two, in case of disagreement, to select an umpire to decide all questions.

"As the critical question in many cases was American citizenship, it was agreed that the Spanish Government may traverse the allegation of American citizenship, and thereupon competent and sufficient proof will be required.

SPAIN'S ALLEGATIONS.

"That clause created difficulty. Spain alleged that certain certificates of naturalization obtained in New York had been obtained by fraudulent misrepresentations, and insisted on proving the facts. The American advocate resisted, on the plea that the judgment of naturalization was infallible, final, and conclusive, and could not be impeached in that way. That dispute was taken up diplomatically, and it was finally understood that the certificate of naturalization was conclusive evidence of lawful naturalization and citizenship, unless the beneficiary practiced a fraud upon the court.

"Mora's claim was presented to that International Commission. The turning point was the validity of his naturalization. The embargo of his estates was not disputed. On the question of American citizenship, the arbitrators disagreed, and the question went to the umpire, who was the Minister of Sweden, at Washington. He filed his decision on February 22, 1883, dismissing Mora's claim.

"He found as fact that Mora was born in Cuba in 1818, a Spanish subject; that in 1853 he declared his intention to become an American citizen; that he presented a certificate of naturalization, issued in New York on May 14, 1869, but that seizure of his property was made by Spain nine days before that date; that the subsequent detention of the property by Spain was not a new injury, and that Mora was not an American citizen when his property was seized."

THE UMPIRE'S FINDINGS.

"The umpire, Count Lewenhaupt, went thoroughly into the facts presented in evidence in regard to naturalization, and adjudged that Mora's certificate could be impeached by proof of international misrepresentation of a material fact; that our statute required five years continued 'residence' next preceding naturalization; that 'residence' implies actual presence and not merely 'domicile;' that the affidavits made by Mora in respect to his 'residence,' between May 14, 1864, and May 14, 1869, were 'evasive;' that Mora had his 'domicile' in Cuba from 1859 to 1868; that after 1868, he had a New York 'domicile,' and that 'during the five years he was part of the time in Cuba, but satisfactory proof had been presented that he was not during a greater part of the same time in New York.

"The umpire was of opinion that in this unsatisfactory condition of the evidence, he must regard the burden to be on Spain, to convince him that Mora was not a greater part of the five years in New York, and he, therefore, decided that Mora became an American citizen in May 14, 1869, and was not an American at the time of the injuries complained of."

DAMAGES REFUSED.

"The umpire declared that 'no claim is made for the value of the estate, because the claimant trusts that the estate will be restored,' but damages are claimed for illegal condemnation, confiscation, and detention of property and income and for the wrong done by sentence of death. The claim for such damages was refused because Mora was not an American when thus damaged.

"The decision was filed Feburary 22, 1883, and early in the next July, Mr. Foster, American Minister at Madrid, under instructions from Secretary Frelinghuysen, of May 3, 1883, asked in a diplomatic note, the restoration to Mora of the estates embargoed, but no reply was made till Mr. Curry took up the matter three years afterward, under pressure by Secretary Bayard."

REACHING AGREEMENT.

"Mr. Curry was able in December, 1886, to conclude an arrangement in behalf of Mora, with the Spanish Minister of Foreign Affairs, that the Colonial Secretary propose to the Cortes that the sum of $1,500,000 be inserted in the Cuban budget of 1887-8, to pay Mora for the embargoed estates.

"On September 10, 1887, Mora wrote to Secretary Bayard, accepting the promise to pay $1,500,000 as soon as the Cortes had passed the budget, and under it Spain had raised the money. The Cortes refused to appropriate money unless there should be an arrangement between the two Governments covering all claims held by either. The debate in the Cortes disclosed great hostility to the Mora claim, a feeling that it was fraudulent, and a belief that it had been pushed improperly."

AN UNCHANGED SITUATION.

"The situation to-day seems unchanged in Madrid, which situation is that the Spanish Ministry promised that the Cabinet would advise the Cortes to pay to Mora $1,500,000, but the Cortes, for this, that and the other reason, has refused."

"It is to be borne in mind," continued Mr. Belmont, "that Mora's estates were seized under a general embargo decree of April 20, 1869, against the property of disloyal Spaniards, and executed as to Mora before

he became an American citizen; that in 1870 Mora was sentenced to die for acts done before May, 1869; that on July 12, 1873, all embargoes under decree of April 20, 1869, were raised; that the United States remonstrated against the sentence against Mora, believing him to be an American citizen; that on September 15, 1873, Spain specially ordered American property embargoed in Cuba to be released, but Mora's was not released.

"On February 9, 1876, Minister Caleb Cushing, under instructions by Secretary Fish, and asserting that Mora was an American citizen, obtained a pardon at Madrid for Mora and three others, and a special order that their estates be returned to them. That was five years before the facts regarding Mora's alleged naturalization had been established. Meanwhile the estates had been sold or swallowed up by bankruptcy proceedings, and could not be returned to Mora.

BESET BY AGENTS.

"When I had been appointed Minister at Madrid, in 1888, I was beset by agents and lawyers professing to represent the Mora claim. Secretary Bayard's instructions to me can be read in a public document on page 16, of Executive Document No. 115, of the Fifty-second Congress. They were not mandatory beyond the exercise of the good offices of the Legation. The difficulty to be removed was the refusal of the Cortes to appropriate the money as the Ministry asked. The Spanish Executive had stipulated with our Minister, Mr. Curry, to propose the subject to the Cortes for inclusion in the next Cuban budget.

"Immediately on my arrival in Madrid, I entered upon an examination of the claim, and found in the records of the Legation, and in the mind of the Spanish Foreign Office, conditions, which, in my opinion made it inexpedient in the interest of the general business of the Legation, and imprudent even in the interest of the claim, to then push complaints of the Cortes. I should have been, had I done so, in the attitude of a foreign Minister in Washington, complaining at the State Department of our Congress. Before my arrival the Spanish Foreign Office had written to our Legation, as appears in the correspondence already made public, that the Cortes would not sanction what the Ministry had done and appropriate the money unless the totality of the American claims was settled and liquidated.

SUPPRESSED CORRESPONDENCE.

"I expressed my views of the situation in notes to the State Department, which notes the Harrison administration did not deem it expedient

to transmit to Congress in response to the Senate resolution of March 14, 1892. I am not at liberty to now make them public. My successor at Madrid, Mr. Palmer, took the same view of the situation.

"That the deadlock made by the refusal of the Spanish Cortes to appropriate the money could not have been removed unless by a treaty providing for all unadjusted mutual claims is proven by the failure of six years of subsequent effort. Had the Moret-Curry arrangement of 1886 been by a treaty binding the Cortes, the case would have been different. Secretary Gresham's note of June 6, 1894, to Minister Taylor, has recognized the parliamentary difficulties presented by the 'nonaction of the Cortes,' and has proposed to remove them by a treaty respecting other claims, which shall not disturb the liquidation of the Mora claim.

"There are, it seems to me, questions of principle involved in the rival contentions over the Mora claim which should not be obscured by our present sympathies or antipathies growing out of the present situation of affairs in Cuba."

NO THIRD TERM.

(New York World, Interview, August 24, 1895.)

In an interview at Newport, Rhode Island, Mr. Belmont, was first asked:

"What do you think generally about a third term in the Presidency? What do you think about the much discussed third term for Mr. Cleveland particularly?"

"To that I answer, as Mr. Whitney once replied in reference to another matter, the President can be counted upon to do the right thing at the proper time. If, therefore, Mr. Cleveland shall declare to the country that he will not accept another nomination he will be in a position to do for his party a service as conspicuous as that of Tilden when he authorized his friends to support Cleveland for the nomination.

THIRD TERM IMPOSSIBLE.

"There is an unwritten law making a third term, consecutive or not, an absolute impossibility for any man. This idea is so strongly supplanted in the minds of the American people that whereas tens of thousands of voters might be unable to quote any single article of the Constitution of the United States, every one of them would tell you without hesitation that the proposition to bestow the Presidency three times upon the same citizen is against the spirit of our laws.

"It is an injustice to Mr. Cleveland to suppose for an instant that he would countenance any suggestion contrary to this fixed principle of our politics.

"The President could not be led into the mistake made by General Grant. Such an object lesson as that of a great soldier, beloved by the nation yet powerless against the public hostility to a third term, will certainly not be lost upon Mr. Cleveland.

"Not only do I believe that Mr. Cleveland has no expectation or desire for a third term, but I am convinced of his indifference to controlling political power. Had he any ambition to continue as the directing influence in the party he would undoubtedly at this time announce his real attitude.

A GREAT OPPORTUNITY.

"It is difficult to overestimate the effect which such a course, if promptly taken, would have upon the public mind. It would give him a position of almost supreme personal influence. It would give him the power almost to name his successor. Such an example set by one holding his position in the party would be of inestimable value in the coming campaign.

"His influence after such a declaration against a third term would be greater than was that of Tilden. His name would be one to conjure with.

"Should any doubt be entertained concerning the quibble regarding three consecutive or nonconsecutive terms, it need only be remembered that Mr. Cleveland himself is on record against even two Presidential terms in succession.

Mr. Belmont's views of Mr. Cleveland's position and chances led naturally to the question:

"Who do you think will and ought to be nominated?"

"This," said Mr. Belmont, "is a time to unmake rather than to make candidates, and the best way to unmake them is to name them.

"Nothing is more difficult for an individual in private life, like myself, than to form an adequate idea of the availability of strength and character of various candidates. The opinion of the public is largely the opinion of the newspapers. As Senator Conkling once said to me: 'The newspaper is like an opera-glass. It makes a great man or small man according as it allows us to look at him through its big or little end.'

PRINCIPLES, NOT CANDIDATES.

"While the making and unmaking of candidates is a harmless amusement for newspapers, at this time of year it is not the serious business of the party. The personality of the candidate, or even the President himself, is not to be compared in importance with the formulated principles and policy of the party which he represents.

"From now until the convention meets the party should strive to get itself in condition to meet the expectations of the people, who require wisdom, moderation and conservatism in legislation. In this much-needed work of building up the party the Democratic press should be the most powerful factor, ignoring individuals and giving its attention to party organization. Should the Democratic press fail in its support of party organization Democratic defeat in '96 is certain.

"A first step for the Democratic newspapers, if I may venture a criticism, is to cease promoting factions and disintegration of the party

by keeping the big end of the opera-glass turned toward groups of factional small men and the little end toward great leaders and the regular organization.

PARTY'S PRESENT NEED.

"The trouble with the Democratic party just now is want of confidence in itself. It needs to strengthen itself by belief in its own power and to sever itself from individualism. It must rely for success upon its principles expressed through its representatives and not upon the mere name of any man.

"The tariff legislation of the last Congress, with all its faults, has been the basis of our returning prosperity, and the financial policy of the administration as well. It is especially to be hoped that neither party in future will lose sight of that elementary and fundamental principle of government, that *what is called the money power, while it may advise and suggest concerning financial legislation, should, under no circumstances nor in any sense, control it.*"

Concerning New York city troubles, Mr. Belmont, who is a resident of Long Island and always votes there, said:

AS TO NEW YORK CITY.

"The municipalities of New York should have '*home rule in excise.*' Not local option in the sense generally understood. The present attitude of the city of New York's administration on the excise question is a political move made to gain political advantage. Those directing it, whoever may be the well-meaning figureheads, are ambitious politicians. It must be clear to any mind that if coercion or intimidation of any sort can bring what is known as the liquor interest and its great political influence into the Republican ranks that will be an admirable thing for the Republican machine of New York city.

"The extreme fanatics upon this question may be in earnest, as fanatics always are. But the politician who trades upon the weakness of a fanatic is always a hypocrite. Even good men have yielded to the temptation to sham.

"I have been looking into the legislation of Rhode Island on the question of excise regulation. There is a publication by Judge Stiness of the Supreme Court of Rhode Island, which gives an amusing illustration of the humbug which has always been a part of excise legislation.

"'In May, 1659,' says Judge Stiness' compilation, 'appeared the following entry: 'It is granted unto Mr. Roger Williams to have leave to sell a little wine or strong water to some natives in their sickness.'"

SPEECH AS PRESIDING OFFICER, DEMOCRATIC STATE CONVENTION, SYRACUSE,

September 24, 1895.

On taking the chair as presiding officer of the State Convention at Syracuse, Mr. Belmont said:

The selection of your presiding officer is an act of partiality. I am sensible of your kindness, and accepting most gratefully the honor you have done me, I ask your indulgence in the performance of my duties.

We have met under brighter political skies than were above us when we assembled at Saratoga a year ago. Then the Democratic gloom was indeed ominous. Even candidates were few. Our excellent Governor, Mr. Flower, entitled by custom to a renomination, had, in a public letter, declined it. The convention adjourned its deliberations in order to ascertain the intention of one of the most popular Democrats, Mr. Whitney, then arriving from Europe, but he too by controlling personal reasons was constrained to forego a nomination. Other Democrats also declined to be candidates. You all remember what then took place. The senior Senator of this State was the chairman of your convention. He was nominated by acclamation for Governor. He refused to recognize the nomination as regular. A call of the roll was then ordered, and every delegate repeated his vote for the Senator who had four years yet to serve; who had been Governor during seven years and who, of course, preferred not to again enter upon the labors of that office. He peremptorily declined to take the unsolicited and unexpected nomination. The convention did not even listen to the refusal, but immediately adjourned after adopting a resolution empowering the State Committee to fill any vacancies thereafter occurring in the State ticket.

Under all these adverse circumstances, your candidate did not leave the Democracy without a standard bearer. He did not refuse to be temporarily submerged with his party, upon issues which he had neither promoted, framed or raised, but he accepted the leadership of the forlorn hope to which he had been assigned against his will and wish. Till the ballot-boxes closed at sundown of election day, he made every possible sacrifice in the cause of the party of his association and affection. Every day he unfolded the real issues of the canvass before vast audiences.

Foe, as well as friend, has borne testimony to the power and vigorous eloquence with which he carried your banner into every county of the State. He accepted the results as a loyal Democrat and as he himself expressed it, "with no complaints to make and no regrets to express." Such self-sacrifice in the interest of his party endears this great Democratic leader more than ever to the hearts of the Democracy of the State of New York.

INSPIRATION FROM THE PAST.

The swift changes of party power in this State encourage us not to be without hope, notwithstanding recent adverse events. Much will, however, depend on the way we appreciate the lesson of last November, or rather the lessons of last November and of the past. When the Democratic National Convention in 1872 nominated Horace Greeley, our party carried only six of the thirty-seven States then voting, and our national ticket had only two million eight hundred and thirty-four thousand and seventy-nine votes as against three million five hundred and ninety-seven thousand and seventy for Grant. His plurality in New York was fifty-two thousand seven hundred and fifty-seven. In that same year General Dix, as candidate for Governor, defeated Mr. Kernan by fifty-five thousand four hundred and fifty-one votes. Four years before that Governor Seymour had prevailed in New York over General Grant by ten thousand. Such a defeat as the Democracy encountered in 1872 seemed to many Democrats like the final departure of all hope, but Democrats here and there began a campaign early in 1873 for tariff reform, hard money and home rule. Taxation reform and currency reform were made the New York Democratic issues. The silver question had not appeared, but the irredeemable full legal tender greenback was fastened upon as the cause of the then existing monetary depression. The resolutions adopted by the Democratic State Convention held in Utica October 1, 1873, announcing a new Democratic departure, are pertinent here and now.

In that year — 1873 — the Democracy elected their State ticket by over ten thousand. In the middle of September, 1874, the next Democratic State Convention was held in this city of Syracuse, which has often heretofore brought good luck to the Democratic party. That most admirable representative of Democratic principles, Governor Seymour, was chairman of the Committee on Resolutions and presented the following concise propositions, many of which are applicable to the issues which confront the country to-day after a lapse of twenty-one years.

First. Gold and silver the only legal tender; no currency inconvertible with coin.

Second. Steady steps toward specie payments; no step backward.

Third. Honest payment of the public debt in coin; sacred preservation of the public faith.

Fourth. Revenue reform; Federal taxation for revenue only; no Government partnership with protected monopolies.

Fifth. Home rule: to limit and localize most jealously the few powers intrusted to public servants — municipal, State and Federal — no centralization.

Twelfth. The Presidency a public trust, not a private perquisite; no third term.

Thirteenth. Economy in the public expense, that labor may be lightly burdened.

That convention, in 1874, named Mr. Tilden for Governor; he was elected upon the platform ratified in the ensuing November by over fifty thousand votes, and the result of 1872 was reversed. Does not that episode in our party history give light and hope for guidance now? In 1875 the platform of principles adopted in 1874 were repeated and in 1876 Governor Tilden was nominated at St. Louis, received in the November next ensuing a clear majority of the electoral vote and a popular majority over Hayes of two hundred and fifty thousand nine hundred and thirty-five. The reform platform adopted in 1876 at St. Louis has ever since been a Democratic text-book fitly expounding the New York democratic platforms of 1873 and 1874.

HOME RULE AND REFORM.

The jurisdiction of a State convention of representatives of a party upholding "home rule" has its limits even in so important and very needful a matter as political and party reform. A Democratic State convention may nevertheless look outside the limits of its own State. The relations of the Democratic party to its associates in other States, to the national issues and Federal legislation ought not to be neglected. As to our own internal affairs, while a State convention has no jurisdiction or control over county and town organization of local affairs it can offer an example of party harmony, unity and discipline. A vote next November for a New York State Senator while it may chiefly affect only a locality, may, a year off, control the selection of a New York Senator at Washington, on whom currency reform and tariff reform may turn. Thus it is, that even the most local candidate and the most local votes will this year have the largest national relation.

REFORM OF THE EXCISE LAW.

As to our own State there is need of immediate reform of certain features of our excise laws. Recent misconstruction of their provisions

coupled with harsh, arbitrary and unintelligent enforcement thereof have rendered it absolutely necessary to legislate, in order to prevent the repetition of such official tyranny and absurdity. The clauses of the existing law most in need of modification were first put into the statute book nearly a half century ago. New York and the whole country have since then had valuable experience in such laws. The second section of the twelfth article of the new Constitution of our State, in respect to the classification of cities and the division of laws therefor into two classes, has indicated "home rule in excise," as an appropriate remedy.

At present, the Mayor of the city of New York is supreme in the appointment of excise commissioners, who may grant to applicants any of the specified kind of licenses, and no others, but when there has been by refusing a license an abuse of the discretion reposed in the commissioners a court may compel the granting of the license. The State law does not permit the great cities to decide what their excise laws shall be, but the courts hold, I believe, that towns and villages in the State have, to a certain extent, an option to regulate the subject as a right of local self-government. They can absolutely determine whether there shall be licenses or no licenses whatever, through the election of their excise commissioners, and, therefore, towns and villages have now virtually local option except in reference to the sale of beverages on Sunday. If it be the law that towns and villages have that power, it seems intensely unjust that the electors of the great cities of the State shall not, under "home rule in excise," have a power, conferred on them by the State, to decide, in some degree, what their excise laws and Sunday laws shall be. As it is now the voters of the city of New York can not control the management of the temperance question in their own city, even as much as voters in towns and villages can control it therein. New York city can not vote for the kind of excise commissioners it prefers. It can not decide what licenses, if any, it will grant, or excepting within narrow limits, the tax thereon. The absurdity of such a law is manifest when according to the construction seriously and resolutely insisted upon in our great cosmopolitan city of New York, it can not give a license to Governor Morton, or Mayor Strong, to offer in their houses in the city a glass of wine on Sunday to anyone who may be dining with them. It can not protect either of them from confinement in the penitentiary if convicted of offering the wine forbidden by the State law. Nothing less than Governor Morton's pardon will save the culprit.

According to the narrow-minded construction contended for at Saratoga last week the statute makes it a misdemeanor for one who, on Sunday, offers, in his own house, a glass of beer, wine, or whisky, to any

one, and inflicts fine or imprisonment on one who, in any sort of club, sells on any day wine, or spirits, to its members, without a license, and makes it a misdemeanor to sell in a club on Sunday with or without a license. How unnecessary, how ridiculous, such laws must be considered if such construction thereof is to prevail.

A newly-appointed and hysterical taxing officer, with more partisan zeal and more desire for publicity than common sense, might, in this State, suddenly take it into his head to enforce literally and harshly the really obsolete general property tax law now standing unrepealed on the New York statute book. He could plead his duty to execute all laws. But what would be the feeling in this State should everybody be suddenly compelled to submit to inspection, appraisement, assessment at a fair value, and taxation, every taxable article of every sort in his or her possession, situated in New York? It might well nigh provoke a riot. No one pretends that the New York tax law is literally enforced anywhere in the State.

Probably few voters in our State outside the ranks of the Prohibition party with its thirty or forty thousand ballots really believe that the resisting will-power of confirmed sots, habitual drunkards, or unfortunate victims of alcoholism, can be restored, or imparted, by an excise law, yet none of us are backward in admitting the evils of drunkenness, and the possibility of diminishing it by wise legislative and administrative means. What Democrats seek is legislation based on facts, experience, and common sense. They would reconcile the promotion of sobriety by the State with proper personal freedom for those not intemperate. They can not, and do not, go along with the Puritan temper and tradition which upholds a grinding tyranny in the name of morality and religion, and yet they would try to regulate the sale of any article which, if improperly consumed, rapidly turns a man or woman into a nuisance, or a criminal. They would not maintain the power of forcing licenses into cities and towns where they are not desired, nor, on the other hand, would they enable a "Prohibition" minority, or hysterical executive officers, to enslave the sober members of either of the two great parties in the State. Individual liberty at our fireside must not be taken away. Inducements to drunkenness may be wisely removed, but the legitimate desire for the moderate use of wine and beer on Sunday should not be driven as now to satisfy itself by illegitimate means. The preachers and the churches, the brewers and the saloons, should act together, formulate, vote for and enforce a reasonable excise law. Sobriety is very important, but not more important than is personal freedom for sober men to buy, eat, drink, and do what pleases them, if it does not infringe on the rights of others.

NEW YORK HAS ALWAYS BEEN FOR SOUND MONEY.

Not only has the New York Democracy for the last twenty years declared itself and thrown its influence for tariff reform, administrative reform and currency reform, but it has never failed to vindicate sound finance. It stood inflexibly by Jackson, in his contest with the "Bank," in his struggle for specie payments, and with Van Buren for the independent sub-treasury against a Whig National Bank, as a regulator of Federal currency, a fiscal agent and a depository of Government money. When a quarter of a century later came the degradation of the money of the Constitution by the injection of legal tender greenback currency, the New York Democracy was loud in condemnation. It thereupon commended, as the platform of 1873 sets forth, the first decision of the Supreme Court forbidding the application of the Greenback Law to antecedent debts requiring payment in coin. It condemned the Republican greenback inflation bill of 1874 which President Grant vetoed under New York influence. The object of the financial portions of the St. Louis Democratic platform of 1876, was to make the greenbacks in the language of that platform "as good as gold." The New York Democracy had no hand in the coinage legislation and greenback reissue of 1878, nor in the Treasury bank contrivances perfected by Secretary Sherman, on a Whig model during the Hayes administration. In February, 1885, it was a Democratic President elect, Mr. Cleveland, who, by a timely letter, warned the country that under the working of the Bland-Allison law, the two metals were in danger of "parting company," and gave the warning in hope that the outgoing Congress would repeal the Silver Purchase Law. It was his Democratic Secretary of the Treasury, Mr. Manning, who, in 1885 and 1886, urged Congress to repeal the Bland-Allison law in the interest of international bimetallism, such bimetallism to come by what has been aptly described as the "international route," ever since advocated by Democratic leaders in New York, who also demand the payment and final extermination of the unconstitutional greenback. When a Republican Congress in 1890 had inserted in the "Sherman Law" the worst features of legal tender greenbackism, Treasury silver purchasing and Treasury bank redemption, it was the New York Democracy speaking through Governor Hill in Brooklyn, as early as 1890, that sounded the death knell of the "cowardly makeshift" which has created $150,000,000 of new greenbacks now driving out by perpetual redeeming our stock of gold which is the only exportable money we have. It was the New York Democratic State Convention of September, 1891, which first denounced, and the New York Democratic State Convention of February 22, 1892, which repeated the denunciation of

the "Sherman Law" as a "false pretense," which denunciation reappeared in the Democratic national platform as a "cowardly makeshift." To-day, everybody advocates, in the language of New York Democratic platform of twenty-two years ago, a currency "as good as gold."

There may be here and there those who would retain the greenbacks "condemned to continued redemption" and the inevitable necessity of constant efforts to get or keep the gold for that purpose by manipulating the sale of foreign exchange, but their number grows smaller day by day. If Congress will provide New York with a coin embodiment of our dollar unit of value, stable and constant, and provide none other than such coined Government dollars, and will remove hindering taxes, New York can be safely intrusted with State banks of our own devising. When we consider the vast quantity of mortgage bonds and other evidences of debt payable in New York and having fifty or one hundred, and, in the case of the West Shore bonds, nearly five hundred years to run before maturity, the stability and constancy of the dollar of payment are of the utmost importance. In large quantities of these evidences of debt only the word "dollars" is used without any adjective or phrase of description.

A TRULY AMERICAN CURRENCY.

In a recent speech at Springfield, Ohio, Senator Sherman has been reported as boasting that "the Republican party, during thirty years of power, furnished, for the first time, a truly American currency," and then as condemning the Cleveland administration because, as he says, it has increased the public debt "over $165,000,000, and that increase will continue while the party is in power."

What are the facts? When the Republican party obtained Federal power in March, 1861, the Government had none other than coined legal tender money. Since Jackson destroyed "the bank" and made its revival "an obsolete idea," there had been no other money. In 1861, there was free bimetallic coinage. Then silver was $1.33 an ounce; now it is sixty-seven cents. Then any individual taking gold, or silver, to our mints, could have it freely coined into standard money, but, since 1873, silver has been coinable only for the Treasury. The Republican party authorized the emission, for the first time in the history of the Government under the present Constitution, of United States notes made legal tender in payment of all private debts, which legal tender clause the Supreme Court declared unconstitutional as to antecedent debts, but, on reargument before a court with two new Republican judges, that decision was reversed. Then the Republican party, by a ten per cent. tax, which was

pronounced unconstitutional by a strong majority of the Supreme Court, led by Mr. Justice Nelson of New York, swept all State bank issues out of existence to make room for national bank notes. During many years those greenbacks and bank notes were inconvertible into coin, and, as Senator Mills of Texas has recently shown "robbed wage-earners of more than half their earnings." They doubled, as the best experts estimate, the cost of the civil war.

In 1875, the Republican party and the law held out the promise of paying and exterminating in 1879 the greenback debt. It was not done, but, on the contrary, the Law of 1878, made it unlawful to cancel, or retire, any more greenbacks, and, even after payment, the Treasury was commanded to reissue them, pay them out, and keep them in circulation. In like manner the Sherman Law of 1890 required the redeemed Sherman greenbacks to be reissued. That "endless chain" of redemption is at the bottom of our present currency and gold trouble.

The Republican party began in 1878 the Treasury purchasing and coining of silver dollars, and enlarged the operations in 1890, by which some four hundred and twenty-five millions of silver dollars have been coined. Those silver dollars manufactured by the Treasury under the Sherman Law, cost on an average seventy-one and one-half cents each. To-day they can be made for fifty-two cents. They were sold or paid out, by the Treasury for a dollar each. Besides some eighty millions of subsidiary silver coins of even less worth, there have been issued, under the Sherman Law, one hundred and fifty millions of new greenback debt in payment for the purchased silver.

The law having authorized private owners of the silver dollars to deposit them in the Treasury, and receive therefor certificates payable on demand in silver dollars, some three hundred and thirty millions of those certificates are outstanding, and have, by executive order, been made redeemable on demand, in gold. Thus there are now some eight hundred and thirty millions of Republican-made paper dollars to be perpetually redeemed in gold on demand and then reissued to be again redeemed.

That Secretary Sherman describes as "truly American currency" manufactured by the Republican party.

He omitted to say that "the truly American currency" and McKinleyism have been the arch enemies of our finances; that, combined with the law which bears his name, they produced, in 1893, one of the most unnecessary, devastating and cruel panics and business depressions known in our annals, which came because of the general belief that the Treasury could not long continue to redeem in gold, on demand, the outstanding five hundred millions of greenbacks, and the three hundred and thirty millions of silver certificates, to say nothing of the national bank notes. Hence the repeal of Senator Sherman's Law of 1890.

His "truly American currency," of Republican manufacture, has annually, during the last two years, cost the Government eighty millions to get the gold for the "endless chain" of redemption.

NEW YORK A DEMOCRATIC STATE.

It can not be necessary to enlarge in this presence on the advantages and usefulness of government by party. More than any other one thing it has made the political institutions of the English-speaking people what those institutions are to-day. It has been the safeguard of the personal, civil and religious liberties of which we are happily the possessors. When party spirit and fidelity thereto began to decay the decadence of what we value most in our country may also begin. The essential quality of government by party is, that the minority shall be obedient and loyal to the majority; that properly constituted national conventions shall rule in all national affairs; State conventions shall by a majority rule in State affairs, and local conventions in local affairs. A political party to be successful must have obedience and loyalty to the organization by all its members. On any other conditions a party will be powerless. No expert in the political weather to-day will question the soundness of the proposition, that if all the New York voters who think the same things concerning and utterly condemn the doings of the last Platt Legislature at Albany, will vote the same ticket next November, the next Senate and Assembly will be Democratic. Why can not that alliance or fusion be had? Let us see to it that we do nothing here to hinder, but everything to promote, so desirable a result. Let us begin the foundation of the great work we have before us, by harmonious and wise action in order that victory may enter in and abide with us. When that has been done, then let all of us vote next November as Democrats for State officers and in our respective localities for local officers, Senators and Assemblymen.

Fellow Democrats: With such issues confronting us in Federal matters, revenue reform, currency reform and honest administration, with prosperity everywhere returning, and in the affairs of this State, personal liberty, home rule and Democratic low taxes, as against a Republican increased tax rate, as against a discredited and corrupt Legislature no longer known as Republican, but taking its name from a single powerful individual, who does not even hold a public office, as against the maintenance of illiberal laws, fostered by centralized power, and harshly interpreted in the interest of mere partisanship, can there be any reasonable doubt as to the final result? We shall triumph as surely as justice and common sense will prevail in this great liberal-minded Empire State, ever in the vanguard of progress and reform, as it is always at heart, Democratic in spirit and in purpose.

LOCAL OPTION VIEWS.

(New York Tribune, October 2, 1895.)

To the Editor of the Tribune:

Sir.— May I say a word or two in your columns on the following criticism, in The Tribune, of my Syracuse speech:

Mr. Belmont made a highly absurd attempt to prove that the local option law of rural localities, permitting them to say whether liquor should be sold at all, was analogous to the demand of the cities that they be permitted to authorize the sale of liquor on Sunday. Mr. Belmont understands, or ought to understand, that it is unlawful to sell liquor on Sunday in rural neighborhoods, that there is no local "option" on this subject in either the country or the city. There certainly is no demand from rural neighborhoods that they have the "home rule" right to authorize the opening of saloons on Sunday.

You kindly printed a full and accurate report of all I said. What I said on the point referred to was this:

The State law does not permit the great cities to decide what their excise laws shall be, but the courts hold, I believe, that towns and villages in the State have to a certain extent an option to regulate the subject as a right of local self-government. They can absolutely determine whether there shall be licenses or no licenses whatever through the election of their excise commissioners, and, therefore, towns and villages have now virtually local option except in reference to the sale of beverages on Sunday.

If it be the law that towns and villages have that power, it seems intensely unjust that the electors of the great cities of the State shall not, under "home rule in excise," have a power conferred on them by the State to decide in some degree what their excise laws and Sunday laws shall be. As it is now the voters of the city of New York can not control the management of the temperance question in their own city, even as much as voters in towns can control it therein.

I think you will assent to the perfect accuracy of what is there compressed, for the sake of brevity, into a smaller space, and on further consideration that it is "analogous"— that is, it bears some resemblance to the Democratic demand that the cities have more "home rule" in temperance legislation.

The plan, as I understand it, of the temperance law of the State, codified and consolidated in 1892, but since modified and notably in 1893, is first, to prohibit the sales of intoxicants everywhere and on all days in

New York State, and to punish the giving away of them on Sunday. Then the law carves out exceptions in the form of licenses to sell, to be granted to specified persons, such as the keepers of drug stores, inns, saloons, stores and railway carriages. No license to give away is provided for Sunday or any other day. There is no license for a club any day, or for a restaurant on Sunday, as there is for an innkeeper on that day. An innkeeper can sell on Sunday with "meals" but a saloon-keeper can not.

The "Consolidated Excise Law" of 1892 repealed in great part the existing laws, including that of 1828 and 1857, and then re-enacted portions of them with modifications. Others have since been made. In 1893 the Sunday excise enactment was ameliorated.

It was in 1892 that the local option section, only for towns, in its present form was first enacted. In 1845 both towns and cities could decide by ballot whether or not excise boards could grant licenses. Two years later, the right was taken away, but in 1874 restored to towns (not to cities), and in 1892 towns could, by local prohibition, suspend the licensing system provided in section 31.

I did not contend in my speech that by "local option" towns can, under existing laws, authorize the selling or giving away of beverages which the State has forbidden — far from it! My contention was that towns can now stop licensing under the State law, and cities can not; which is unjust discrimination. My endeavor was to show that "local option" as defined in our laws will not relieve the strain in the city of New York, because what is needed is "home rule," described in the fourth resolution of the Democratic platform adopted at Syracuse, as follows:

> Home rule in excise, as in other matters, within reasonable limitations, established to protect the interests of temperance and morality — and an amendment of the excise and other laws by the Legislature of the State, which shall permit each municipality, expressing its sentiments by a popular vote of a majority of its citizens, to determine within such proper legislative restrictions as will be in the interests of the entire State, what may be required by its necessities and conditions.

As I understand it, the Republican party resists imparting such "home rule" to cities, and demands the maintenance and enforcement of the existing excise Sunday law, which forbids selling liquors by a club to its members on any day, and declares in section 32 that "any person who shall give away any strong or spirituous liquors, wines, ale or beer on Sunday shall be guilty of a misdemeanor."

PERRY BELMONT.

NEWPORT, R. I., *September* 29, 1895.

[SEE THIS SUBJECT CONTINUED, MARCH 23, 1896.]

THE EXCISE QUESTION.

(New York Recorder, October 4, 1895.)

"I find the following comment in the Recorder," writes Mr. Belmont, "concerning my Syracuse speech:

'Individual liberty at our fireside must not be taken away,' he said: It is not quite clear how our fireside freedom is invaded by closing the corner saloon on Sunday any more than by closing the dry-goods stores. There is no law to prevent a man from buying all the liquor he chooses on Saturday and indulging himself in 'personal liberty' at his fireside — with or without — on Sunday. Some license must be allowed, of course, to a Democratic convention orator; and perhaps the confusion of the domestic hearth with the gin mill and the consequent location of the Temple of Liberty in the barroom were not unnatural under the circumstances.

"What I contended against was the violation of the fireside rights contained in the first clause of the thirty-second section of the Excise Law, which punishes as a misdemeanor 'any person who, whether having a license or not, shall give away any strong or spirituous liquors, wines, ale, or beer on Sunday' in his own house, and also punishes by fine or imprisonment, or both, the selling of intoxicating beverages on any day in one of our great clubs.

"As to places or persons to be licensed to sell on Sunday, with or without 'meals,' and the hours, all I urged was that in New York city, its nearly three hundred thousand voters be permitted by the State to deliberate, discuss and settle the question as pleases them, just as they now select for themselves, under the Constitution, the judges of the courts in New York county.

"The Excise Law, in its prohibitions against giving away liquors on Sunday in one's home, makes no exceptions or discriminations. Every sort of giving away is a misdemeanor. Is not that an invasion of fireside freedom?

"It is true that one can, on Saturday, buy in a licensed saloon any quantity of liquor under five gallons, carry it home and drink as much of it as he pleases until Sunday, but he can not give away any of it in his house. I am told, since the police crusade, the sales on Saturday by the pint, quart and gallon have greatly increased. Can it be that such a

Sunday statute which is so generally violated in New York homes makes good morals, clean politics and obedience to all laws?

"The situation in which the existing Excise Law places our large clubs is quite as demoralizing and almost as much an invasion of fireside rights. The perfect respectability of these clubs can not be questioned. They are not disorderly houses. Of one of them, the Century Club, the Bishop of New York is, if I mistake not, the President, or a high officer. Nearly all of those, as I believe, sell liquors to members every day in the week, and yet one can not find a law authorizing such sale on any day, and especially on Sunday. There is no recognition in the statutes of a license for clubs, and without a license liquor selling, even on a week day, in quantities under five gallons, is a State prison offense. To justify Sunday selling one must be a druggist or an innkeeper. A club is neither. Does the situation of the clubs promote good morals and respect for law?"

THE COSTLY REISSUE OF GREENBACKS.

(New York Times, October 16, 1895.)

In an interview, ex-Congressman Belmont yesterday described Secretary Carlisle's recent speech at Boston as the most cogent Mr. Carlisle had made in condemnation of the old and new greenbacks. He said the speech was especially gratifying to him because his own at Syracuse, as temporary chairman of the Democratic State Convention, "ran on all fours" with it. He added that Secretary Carlisle exhibited to the country for the first time the cost of greenback redeeming since 1879. That colossal sum will startle and stagger the voters. It is nearly $331,000,000. Mr. Belmont said:

"The Secretary should have exhibited the magnitude of the cost by showing the increase of interest-bearing national debt, caused by the war of secession, was seven times greater. He could have added that the cost of greenback redeeming during sixteen years is almost one-half of the interest-bearing debt.

"He brought out with perfect clearness the new point that even if, by the concerted laws of each European State, and by our own laws, fifteen and a half ounces of silver are kept in the future on a parity with one ounce of gold (as we now keep, only in our own jurisdiction, a fifty-two-cent silver dollar on a parity with a gold dollar), even then we shall be compelled to get silver and gold for greenback redeeming on a gold basis unless the greenbacks are destroyed.

"It was an impressive utterance made by General Logan many years ago, which described the greenback as 'battle-born and battle-stained.' Its patriotic birth has made a popular idol of it, even though its utility ceased in 1875, when Congress made the pledge to pay and extinguish it, which pledge was violated by the law of May 31, 1878. That was the year of silver and greenback blunders. Then began the costly three-hundred-and-thirty-one-million debt. The huge debt is not the worst of it. The power to sell bonds imparted by the law of 1875 has been used for a purpose, under the law of 1878, which the former law could not have contemplated. That is not all. The law of 1878 did not expressly impart a legal-tender faculty to the new reissued greenbacks, but the Republican Supreme Court (that sterling Democrat, Mr. Justice Field, dissenting) interpreted and legislated a legal-tender clause into that law

and then adjudged that in time of profound peace Congress could make a legal tender of greenback debt. The previous decisions covered only a war power.

"When, in 1874, Congress passed a bill increasing the sum of greenbacks by only eighteen millions there was a great outcry. The Atlantic cities sent delegations to Washington imploring President Grant to veto the bill, and when he had done it he was praised as a second time the savior of his country. But the Sherman Law of 1890 created nearly a hundred and fifty-six million more greenbacks to be perpetually redeemed and reissued.

"Under that law, and associated laws, the Treasury has now some eight hundred and thirty millions of paper dollars to be instantly and perpetually redeemed, on demand, in gold. Consequently all investors, bankers, and business men are kept watching the trepidations of the gold balance in the Treasury.

"There is not gold enough in the country. It must be imported. Bonds must be sold. Our gold supply is estimated at some six hundred and a quarter millions, but that is a mere guess. The Treasury knows certainly only the stock of gold it and the national banks have. The hoards of misers, reported in the newspapers, seem to be chiefly in greenbacks. It is doubted whether our stock of gold is one-half the estimate. A popular home loan will not get the gold for greenback redeeming, because the country has it not. The bonds must, therefore, be sold in Europe. If the process goes on long enough, which is inconceivable, our country must be reduced to a condition of financial servitude such as some of the South American States well illustrate whose real ministers of finance are the capitalists of Europe.

"Countries which have delegated the control of their finances and currency have yielded the control of their diplomacy. Their executive and legislative authorities have submitted to dictation as to what they can and can not be permitted to do. When we change our form of currency, which we assuredly must do, whatever the new form of currency may be, the substitution of the new for the old must be instantaneous, without disturbance to the financial and commercial conditions of the country."

ENDLESS CHAIN.

(Boston Herald, October 21, 1895.)

Newport, R. I., October 19, 1895. Mr. Perry Belmont talked to-day with the Boston Herald correspondent regarding the Boston's Herald's

editorial of Saturday last on "That Phantom Chain," which referred to President Cleveland's coinage of the phrase "endless chain," as descriptive of the enactment of May 31, 1878, which forbids the retirement of United States legal-tender notes. Mr. Belmont said:

"It seems to me that the Herald failed to comprehend the mandatory character of that law of 1878 when the Herald said:

'If there had been no deficiency in the revenue, the redeemed greenbacks would have remained in the Treasury vaults. It was not through the defects of our currency system, but purely and simply through the defects of our currency system, that the redeemed notes were again put into circulation. When the national income balances the national expenditure, the Secretary of the Treasury has ample power to lock up every greenback that is presented for redemption, and to keep it locked up during his pleasure.'

"The statute of 1878 is peremptory," continued Mr. Belmont, "in its command to the Secretary of the Treasury that when he has 'redeemed' greenbacks or received them into the Treasury by virtue of any law or from any source, he shall not retire, cancel, or destroy them, but they shall be reissued, paid out and kept in circulation. It can not be said that the statute does not describe the time of reissuing, for it says it must be when it has been redeemed or received, which means immediately thereafter. Money received, such as gold and silver, can be retained in the Treasury, and so can such currency as gold and silver certificates, and so can the Sherman greenbacks, in respect to which the law of 1890 gave to the Treasurer a discretion whether or not to reissue. But the law of 1878 is peremptory that the old greenbacks shall be kept in circulation. Secretary Carlisle will be liable to impeachment if he intentionally keeps in the Treasury an old greenback and emits, instead, gold or silver coin or any form of currency other than the old greenbacks."

SPEECH ON HOME RULE, IN THE LARGE CITIES, DELIVERED IN TAMMANY HALL.

October 22, 1895.

The supreme issue to be decided by the contents of the ballot-boxes two weeks from to-night is whether or not the next Legislature shall be required to begin an intelligent and persistent effort to give a greater share of Democratic "Home Rule" to the large cities of the State and especially to this city of New York.

If such a reform in the statute law of the State is needed, all will agree, I think, that it should be committed to legislators who really believe in the reform, have labored for it in the past, and have not come in at the eleventh hour merely to promote other projects.

The Republican party has inherited, through its immediate Whig predecessor, the centralizing tendencies of the old Federal party. It, therefore, can not be reasonably assumed that the Republican party sincerely believes, as has the Democratic party of New York even since the days of Clinton, that the Government at Washington should do nothing which a State can do as well, that the country should do nothing which the town can do as well, and the State nothing that the county, or city, can better do.

REPUBLICAN DISTRUST.

Thereby it becomes apparent how important it is that the great reform we have in hand shall be committed at Albany to Democrats, for when the question shall come, as soon or late it will come, whether or not, in a matter fairly in doubt, a larger or smaller share of local self-government shall by the Legislature be imparted to this city, Democrats and Republicans have been so trained to different ways of thinking in regard to State rights and local rights, that the latter will prefer to leave the power at Albany. Republicans tend to distrust, as did their Whig predecessors, Democratic contentions concerning State rights, local rights, and individual rights.

REPUBLICANS WITHDREW HOME RULE.

There is another reason why Democratic "Home Rulers" are to be preferred at Albany. It is this: The Republicans of 1857 began, in that year, the State interference with the purely local and municipal affairs of this city, which led up to its present unfortunate condition, wherein it is governed at Albany much as Cuba is governed at Madrid.

Under the revised New York Constitution of 1846, the property qualifications for voters disappeared, manhood suffrage came in its place, and, in the end, the Mayor, the Council having then real legislative functions, became elective together with judicial and many of the higher executive officers of the municipality. Manhood suffrage gave the control of New York city to the Democracy, and so in 1857 the Republican party, which had just been born of the slavery issue, and the "know-nothing" issue, having on those issues obtained a majority of the voters in this State outside of New York, as well as the Governor and Legislature, decided to take power out of the hands of the Democratic majority of the city and give it to commissions to be appointed by the Governor. Then the worst features of the present Excise Law were placed on the statute book. Then came new police commissioners, whose appointment by the Governor, and attempted exercise of power, led to riot and bloodshed, and to resistance which could not be silenced till the Court of Appeals decided that the Legislature could thus take the police out of the control of the city, because policemen were State officers, even although the Mayor was a local officer. Soon came the public works department, fire department, the health, excise, park, and tax commissions as well as many others, all equipped by the Governor at Albany.

UNFITTED FOR SELF-GOVERNMENT.

The reason assigned, by the Republican leaders and newspapers of 1857, for thus withdrawing municipal powers from this great city, was much the same that one hears now as the ostensible motive for refusing to the city a power to make its own excise and Sunday laws, and generally manage its own affairs its own way. It was that a majority of the voters of New York city were by their ignorance, or their foreign birth, or their subservience to liquor-sellers, or their want of sufficient property qualification, or the misfortune of having been born outside of New England, or by something else, unfitted for full representative institutions and local self-government. The real Republican allurement and attraction at Albany was, however, to acquire a portion of the patronage and expenditures of a city having then a population of three-quarters of a million.

REPUBLICAN PLEDGES.

There is another and more controlling reason why Democratic "Home Rule" should be committed to Democratic legislators, which is that Mr. Platt and the Republicans, having absolute control of the last Legislature, did nothing in that direction. In excise matters it was the same. The Consolidated Excise Law of 1892 was enacted on April 30th of that year, and in the next May the Republican State Convention denounced the new law for "its removal of wholesale restrictions on the liquor traffic." In the year 1894 the Republican Convention promised to the people "an acceptable law" but did not even attempt the work.

CITY POWER TRANSFERRED TO ALBANY.

Having thus subjected the government of the city to the Legislature at Albany, which was ignorant of the local conditions, unsympathetic with the local population, and without adequate sense of responsibility, city affairs went from bad to worse. The City Council disappeared from actual control. New expedients of city organization were tried in vain. To-day there is no legislative body for nearly two millions of people, for nearly three hundred thousand voters, and for nearly one-fourth of all voters in the State. The Aldermen nominally levy the city taxes, but the quantity and rate are in the hands of some half dozen men constituting a board of apportionment. That is the way taxation and expenditures are managed in a city which now taxes and spends more each year than did the National Government during the first half century of its existence, and down to the war with Mexico.

CITIES SUBJECT TO THE STATE.

The struggle by "Home Rulers" to restrain the Legislature from meddling in the internal affairs of cities is more imperative, because, while the State of New York is by the Federal Constitution protected against the Government of Washington, the towns, counties and cities of New York are at the mercy of the Legislature at Albany. In the absence of restraint in the State Constitution, a city is only a representative of the State, exercising a portion of its power. The State can enlarge, or diminish, the powers of the city, and can destroy the existence of the city. A city charter is not a contract, sacred against impairment, but can be amended, or even annulled, by the State Legislature.

THE TILDEN COMMISSION.

The evils which befell the great cities of the State by withdrawing from them exclusive control of their internal affairs, and continual inter-

ference therein by "special" laws enacted at Albany, induced the Democratic Legislature of 1875, on the urgency of Governor Tilden, to authorize him to appoint a commission to consider and report a plan for the permanent and uniform government of cities. At the end of two years' work, the commission unanimously advised an amendment of the Constitution to limit the power of the Legislature to interfere with municipal government by special legislation.

The legislative interference with cities was thereafter even greater than ever. In six years, from 1884 to 1889, inclusive, the Legislature enacted one thousand two hundred and eighty-four laws relating to thirty cities, and three hundred and ninety of them affected this city of New York.

THE FASSETT COMMISSION.

In 1890 the Republican Senate created another committee, popularly known as the "Fassett Committee," to collect facts and report on amending and systematizing "the general body of laws relating to the government of cities." That committee reported five big volumes of testimony. Its investigations in this city were marred by the ferocity of its partisanship, but its conclusions were noteworthy. It concurred in the advice given by the Tilden Commission, and urged an amendment to the Constitution requiring the Legislature to enact a general law to govern cities, forbidding all special laws for that purpose except as amendments to special laws. It described the chief evils in our city governments as (1) excessive Albany legislation, (2) failure to enact general laws granting larger powers to cities, and (3) absence of accurate information at Albany in respect to cities. It declared that, "under the existing system, stability of city government is a practical impossibility;" that "municipal officers have no certainty as to their tenure of office;" that "our cities have no real local autonomy;" that "local self-government is a misnomer," and that, "consequently, little interest is felt in matters of local business."

The "Fassett Commission" reported that New York and Brooklyn created the chief difficulties in the problem, but if those two cities "be made a class by themselves no more difficulties will then be presented in framing a general law than have been met in any other State of the Union, where such difficulties have been easily overcome and general laws enacted.

THE RECOGNIZED REMEDY.

The pressure of the problem of governing cities has been general, and it has been discerned that "Home Rule" is the only solution. In twenty States of our Union the Legislature has been, by constitutional amendment, forbidden to incorporate a city by a special law; in twelve

the Legislature has been told not to amend a city charter by a special law; in sixteen the Legislature has been prevented from interfering by special law with any of the internal affairs of a city, and in three the cities are permitted to frame and amend their own charters.

THE RECENT CONSTITUTIONAL CONVENTION.

Such was the situation in this city and State when the convention to revise the State Constitution assembled last year with a Republican majority. What did it do? Did it propose effective constitutional guaranties in favor of cities such as other States had adopted? Did it carry out the recommendations of the Tilden, or Fassett, commissions? Not at all! It separated days of municipal from State elections as if that would divorce city and State politics so long as "Home Rule" shall be denied, and city politicians manipulate the Legislature in order to obtain, or prevent, special laws for cities. It permitted municipal corporations to be created, and controlled, as before, by "special" laws. It classified our cities into three classes; divided all laws relating thereto into "general and special city laws;" defined them by declaring "special city laws" as those which "relate to a 'single city,' or to less than all the cities of a class;" gave to the Mayor of New York city a suspensive veto of a "special city law, but even if he veto what his party has done at Albany, it avails nothing. A bare majority can pass the bill. In this city, there is no legislative body which can consider the bill. It is not referred to the voters. The Mayor decides what a majority of three hundred thousand voters wish, or rather what he wishes. No real "Home Rule" is there. We saw how the suspensive veto worked last winter. Our city was again made a pawn in Republican State politics. It was sacrificed on the altar of Mr. Platt's ambitions. The Republicans, holding control in the State Constitutional Convention, refused to prohibit such doings. They abstained from formulating a controlling definition of a special city law, and from defining municipal affairs as distinguished from State affairs with which when conducted by the city the State should of course supervise. It did nothing efficacious toward reconciling municipal "Home Rule," on the one hand, with, on the other hand, adequate legislative, or administrative, State control when State affairs have been committed to the city, or county, to manage, as in the case of collecting State taxes.

WHO FORCED THE SUNDAY ISSUE?

Whether it is a good thing, or a bad thing, that the Sunday question, and the drink question on other days, have been so suddenly and abruptly thrust into this year's election, the Democratic party is not responsible

therefor. The controversy mainly rages over the Sunday law, and its recent interpretation, reversing a previous interpretation. Inquiry respecting the party which, a long time ago, invented the present Sunday law does not seem to me of much consequence, inasmuch as the real question is who, in the existing emergency, is in favor of its modification. And yet it is persistently said that the present laws are of Tammany origin, and they represent Tammany desires in this matter — that is to say, they furnish a basis for blackmail and corruption; that "these laws were enacted by Democratic legislators and approved by Democratic Governors, and were never enforced, save spasmodically and for purposes of blackmail, by Democratic local authorities."

If that be true, the laws should either be repealed or modified. What are the facts?

The "Consolidated Excise Law of 1892" was codified by a Democratic Legislature, and approved by a Democratic Governor. It was amended in 1893. The several excise laws, then on the statute books, were conflicting, and the courts found them irreconcilable. The Legislature of 1892 attempted to harmonize them in one enactment. The Democrats had not votes enough in the Senate to omit the Sunday section of the law of 1857, which the Republican county convention has just now denounced as "onerous and oppressive." But the ameliorations of the old law were such that the Republican State Convention of 1892 condemned the changes as "wholesale removal of restrictions on the liquor traffic."

PROHIBITION AGAINST SUNDAY SELLING IN 1857.

We need not go back more than half a century to find in the law of 1857, enacted by a Republican Legislature, when John A. King was Governor, the requirement, in order to evade a people's choice, that, in this city, three judges of the court shall appoint three commissioners of excise to grant licenses, and making it unlawful for any one to sell intoxicants in less quantity than five gallons at a time without a license. No license could by that law be granted excepting to the keeper of an inn, tavern, or hotel, who, in this city, must have three spare beds and bedding for travelers. Nobody else could sell liquors to be drunk on the premises. Section 21 of that enactment declared:

"No inn, tavern, or hotel-keeper, or person licensed to sell liquors shall sell, *or give away*, any intoxicating liquors, or wines, on Sunday," and whoever shall do so, shall, on conviction, be imprisoned.

In 1892 that section was so modified as, in the thirty-second section, to denounce as a misdemeanor, "*any person* who, whether having a license or

not, shall sell, or offer, or expose for sale, or *give away*, any strong or spirituous liquors, wines, ales, or beer, on Sunday."

If that does not punish any one giving away intoxicants in his own house, will Mr. Warner define its meaning?

In 1870 the law of 1857 was amended in many particulars, and among others to enable the Mayor of this city to appoint excise commissioners on confirmation by the Aldermen, which confirmatory power was taken away in 1884, and to stop all liquor selling between one and five in the morning. Nothing was changed as to Sunday, but the repealing clauses of the law of 1870 made such a chaos of confusion that the new law of 1892 became a necessity.

THE LAW OF 1892.

That last-named law increased Sunday restriction by forbidding *anyone* to "give away" intoxicants on that day, but ameliorated the Sunday law by permitting the innkeeper to "*sell*" on that day with "meals." It gave a modified "local option" to towns, and so mitigated the law in other particulars that the Republican State Convention of that year condemned it as removing "wholesale" the former restrictions of 1857, on the liquor traffic. Under the law of 1857 no licensee could "sell, or give away" on Sunday, but, as no one could sell without a license, the effect was that no one could sell on Sunday.

THE SUNDAY LAW NOWHERE ENFORCED.

I believe the evidence shows that the Sunday law of 1857 was not, during its existence, enforced in this State any more, or better, or otherwise, than in this city was the law of 1892 down to last June. It is conceded that, outside of this city, there has been no pretense of interpreting and enforcing the law of 1892, and its amendments, as since last June they have been enforced here. Why not? Have the police been everywhere venal?

EXECUTIVE INTERPRETATION.

What can be the explanation of the general failure in all the cities of the State to enforce the excise laws of 1857 and 1892? We are now hearing complaints that the tax laws are not enforced, and that deputy tax commissioners habitually perjure themselves when they assess real estate thirty, thirty-five, or even fifty per cent. less than the value prescribed by the statute? Have all our real estate owners, including members of the Chamber of Commerce, corruptly paid Tammany Hall, or the tax commissioners, for illegal valuations? How ridiculous it is! Laws

should of course be enforced as their language, reason and the public welfare require, but their interpretation should be uniform and stable, not one rule in May and another in July. If the police commissioners have, for a long period, given a meaning to the word "meals," and a citizen has bought a license thereunder, the meaning of the word should not be suddenly and arbitrarily changed, any more than the standard for appraising real estate for taxes.

The theory of our Excise Law is one of licenses. All depends on licenses to be now issued, and revoked by Mayor Strong's reformed commissioners of excise. If a licensee violates the terms of his license, he can be punished criminally, and the excise commissioners can revoke the license. The police have no concern in the matter, excepting to arrest a licensee violating his license, and take him before a magistrate. Under the excise law, Mayor Strong's excise commissioners must, when convinced that a licensee has violated the Excise Law, revoke, annul and cancel the license! Why has not that been done since last June? If the police stories of excise violations are well founded, how is it that so many licenses remained unrevoked? Under the law of 1892, amended in 1893, the power of Mayor Strong's excise commissioners is ample to close every licensed place where the law has been violated. Why is not the closure, if all laws are to be enforced?

REPUBLICAN POLICE AND TAMMANY.

It is, however, now said by Republicans that the former police commissioners in this city, half Democrats and half Republicans, discriminated between saloons in enforcing the law, that an agreement was then made between the leaders of Tammany Hall and the liquor-dealers, according to which the monthly blackmail theretofore paid to the police should be discontinued, in return for political support; that the retail dealers bound themselves to solidly support the Tammany ticket in consideration of the discontinuance of the monthly blackmail by the police, and that this agreement was carried out.

One is at a loss to understand how and why two Republican police commissioners agreed to that, and still more to understand how such an arrangement, even if made, could control Brooklyn and cities in the interior of the State. The logic leaks. But the latest and apparently the authorized theory of Mayor Strong's crusade, suddenly begun last June, against the interpretation of the Sunday Excise Law, then universal throughout the State, is not a desire to rescue Sunday from profanation, or to promote habits of temperance, but only to stop blackmail by policemen. That seems like burning the house to roast a pig! The Republican

reformers at Albany knew last winter the condition of the bi-party police force. They had power to enact laws to discipline it, and expel blackmailers, but refused to exercise the power. They enabled Mayor Strong to create the present police commission, which has not yet had the wit and courage to rid the city of venal policemen, excepting by reversing the accepted interpretation of the laws, raising everywhere in the State political commotion, putting in antagonism the State and county Republicans, and, finally, bringing about condemnation of the police commissioners, professing to teach the difference between honesty and dishonesty when tested by the spy system — a system so odious and demoralizing that the courts instruct jurymen not to receive a verdict on the uncorroborated oath of a detective.

Police commissioners and policemen have no other functions in excise matters than in regard to hundreds of State laws and city ordinances, the violation of which is a crime. If it is permissible to send into an hotel a disguised policeman as a spy to discover forbidden selling, or giving away, of intoxicants, it is permissible to send him into a social club and a private house. A policeman in disguise who coaxes a man to sell a glass of beer on Sunday, and then, displaying his shield, arrests the seller, and locks him in prison, is more contemptible, in the eyes of decent people, than the seller. When a stupid zealot of a policeman, influenced by the nonsense he has heard, or read, concerning a "fake meal," believes he has power to arrest under section 32 of the Excise Law, the holder of an innkeeper's license who sold to the policeman a glass of beer with a "meal" consisting of oysters, bread and butter, the time has come for a new statute to put its restraining hand on policemen of all grades. If either one in that transaction should go to prison it is the policeman!

DEMOCRATIC TREATMENT.

How did the recent Democratic State Convention encounter the situation? By this declaration as the keynote of the movement:

"Home rule, the first essential condition of good municipal government; local jurisdiction and control over purely local affairs; no legislative meddling."

Then by this mandate to all Democratic legislators:

"An amendment of the excise and other laws by the Legislature of the State; which shall permit each municipality to express its sentiments by a popular vote of a majority of its citizens to determine, within such proper legislative restrictions as shall be required by the interests of the entire State, what may best suit its special necessities and conditions."

That mandate has been criticised as not sufficiently drastic, because

"it pledges the party to no action in the Legislature which will offend the sensibilities of the country voters."

The criticism is unsound! "The interests of the entire State" must be consulted! The mandate was framed by careful, conservative and excellent Democratic lawyers, who appreciate that, in constitutional theory, a city is an agency of the State, and that the Legislature is to decide which laws shall be local and which shall be general.

CITIES WILL SOON CONTROL.

The draftsmen of the mandate perceived that the three cities of the first class — New York, Brooklyn and Buffalo — have now forty-eight per cent. of the entire population of the State; that the first two have over forty-three per cent., and New York city has over twenty-nine per cent. In a brief period "the Greater New York" may, by natural growth, by emigration from the interior of the State, from other States of the Union, and from foreign countries, control the Legislature at Albany. The late Republican Constitutional Convention endeavored to provide for that by the fourth section of the third article of its work, but before long, the first-class cities of the State can make and unmake constitutions.

REPUBLICAN TREATMENT.

I have no wish to dwell on criticism of Republican conduct in presence of Mayor Strong's sudden crusade in this city against the Sunday side-doors of saloons which are, and for years have been, wide open in the large cities of the State, further than to say that when the New York Republican League Convention met, Mr. Conkling of this city, who was recently refused by Mr. Platt a renomination to the Assembly, offered for adoption a resolution for "Home Rule in Excise," but the Convention was so alarmed at this possible result of trusting the voters of this city that the resolution was suppressed.

The committee on resolutions in the recent Republican State Convention, pushed by Mr. Conkling, also suppressed expression of opinion of the issue raised last June by Mayor Strong, but Mr. Miller compelled the Convention to utter its real opinion and purpose which he has recently re-enunciated, and were that "we favor the maintenance of the Sunday laws in the interests of labor and morality." No "Home Rule" is there, but a distinct refusal to declare for "Home Rule." If the declaration means anything, it means the maintenance of the present excise laws unchanged, and their police enforcement in this city, under an interpretation so absurd that jurymen will not convict on indictment.

ELEVENTH-HOUR CONVERTS.

It was an edifying spectacle of reform devotion to a Christian Sunday when representatives of the Chamber of Commerce and the State Democracy recently met, on the "day of rest," Mr. Platt's delegate, in order to witness his parceling out of candidates for county judgeships and executive offices. It was all the more edifying in view of what those associated opponents of the regular Democracy had so recently said of Mr. Platt, before whom they were bowing down as to a Primate. On the 23d day of May last, that powerful and consistent organ of Republican opinion, the Tribune, declared the purpose of the last Legislature had been not so much to "promote the general good, as to advance the interests of a faction and to sustain the waning fortunes of a corrupt and unprincipled leader," and that "the Legislature had shown from the beginning a disposition to palter with the people who elected it, and, so far as it could, to deceive and betray them."

The only reasonable explanation of such conduct is that the real motive of the originators of "fusion" was not to purify the city government by nonpartisan officials, but, under the pretense of that, to seize "the spoils" in order to use them in the Presidential and Congressional struggle next year in favor of McKinleyism and Plattism. Dr. Parkhurst must see that, but his subtle Republican partisanship prevents expression of it.

Under no possible interpretation can the State Republican platform, as finally adopted at Saratoga, and the platform of the New York county Republicans, both referring only to Sunday, stand together. The existing Sunday laws can not at the same time be maintained and modified. The Republican Saratoga mandate does not tolerate modification of our Sunday excise laws. A Republican can not be loyal to it and the New York county fusion platform. He can not reject modification and yet endeavor to secure it. The Republican county resolution is silent in regard to "Home Rule," which is the real question. If it does not contradict and repel Mr. Warner Miller's resolution, and the Republican State Convention, then it is quibbling, equivocating, elusive, evasive, and was drawn to mislead.

THE SUNDAY ISSUE.

Mayor Strong and his policemen have thrust a Sunday issue into the high debate over local self-government. Those officials singled out only one day in seven. What sound objection, moral or political, has been presented against the Democratic demand for "Home Rule" on Sunday?

STATE SUPREMACY.

One is, that it is a matter of State supremacy. Of course it is, and the Democracy appeal to the Legislature.

SUNDAY PROFANATION.

Another is, that under "Home Rule," this city will either profane Sunday as a holy day, or deprive it of its essence as a day of rest and release from toil. There is no probability of either! The churches, the Christian associations of young men and old, the good men and women, the wage-earners, and the labor-unions are too strong for that.

Another is, that New York voters will, under "Home Rule," destroy our Christian State of New York. How absurd it is! Was not New York a Christian State before Mayor Strong began his crusade? Are not Brooklyn, Buffalo and the other cities Christian cities with the Sunday side-doors wide open, and honest nonenforcement of the Sunday law? Is not England a Christian State, wherein for years the law has enabled the public-houses to open their doors to buyers of rum and beer on Sunday, and the voters refused at the last election to permit them to be shut even under local option?

A PLEA FOR SELF-GOVERNMENT.

I am not pleading for free rum, or free trade in intoxicants, or for an alcoholic city, but for the right of the voters in this county to manage their internal affairs, and their Sunday affairs, in their own way. By what laws they will manage those affairs I know not, but I am confident the voters will secure a quiet American Sunday for worship, rest and innocent recreation. The temperance question is no doubt a thorny one. It has overthrown many political parties and governments, and may overthrow many more. It has recently contributed to overthrow an English Ministry by an unprecedented vote. I am pleading to-night, as the Democracy is pleading everywhere in the State, for a return in this city to a government by "The Mayor, Aldermen and Commonalty;" for a real legislative body created by a majority of the city voters and not a counterfeit body as now; for legislative debating and voting in our municipal problems, and newspaper criticism thereon, instead of decision by half a dozen of officials in a private room, of questions relating to a budget of thirty or forty millions of taxation and expenditures.

A PLEA FOR CIVIC LIFE.

Who can wonder that there is now so little civic life in this city of nearly two millions of people? No policy in the city can now be matured which may not be "burked" at Albany. A satisfactory city government is impossible till this city has complete "Home Rule." Till then there will be professional politicians, professional reformers, who are place-hunters, conspiring and plotting at Albany over our city affairs.

Why should men toil, as did the Committees of Seventy and Ten, merely to have their work disregarded at Albany by Mr. Platt's Legislature? Till "Home Rule" shall come, and with it self-government and fireside rights, all such contrivances as nonpartisan government, or bi-party government, or a so-called business government on Chamber-of-Commerce methods, even if they be excellent methods, will be mere superficial palliatives.

The rivalry of only two great parties embracing all the voters and thus keeping out fads, hobbies, and other political microbes, is now giving way to the rivalry of petty factions, each with candidates selected avowedly on the no-party theory, filled with bubbles and mare's-nests, as if that can restore "Home Rule." The Republican restraints must at Albany be taken off, and the great cities of the State, with all their qualified voters — poor or rich, ignorant or learned — be permitted again to assert themselves, and especially should the Legislature at Albany quickly restore to New York city the ancient rights and powers withdrawn in 1857 and since! To accomplish that beneficent reform, I can see no other, better and more logical way than to vote for Democratic candidates.

FIGHT FOR HOME RULE.

The upshot of the whole matter is that, by the refusal of the Platt Legislature to enact an acceptable excise law as promised, and by the conduct of Mayor Strong and his inexperienced cadets, the war for "Home Rule" in this city has begun! The fight is on! It may, or may not, be won next November, and in the next Legislature, but if lost then it will rise again and go on till victory comes! The Democracy are marching under the banner of "Home Rule," uplifted by Horatio Seymour, twenty-one years ago, and a great people follow it!

MAYOR STRONG'S ADMINISTRATION ANALYZED.

(New York Herald, November 2, 1895.)

The opening of the mass-meeting under the auspices of the Campaign Committee of the Democratic Club was delayed until after nine o'clock last night. Then John Fox, the president of the club, announced that former Governor Flower nor Perry Belmont, who had been expected, would be able to appear.

Mr. Belmont sent a letter, the reading of which created much enthusiasm.

The letter is as follows:

BABYLON, L. I., *October* 30, 1895.

Dear Mr. Fox.— I very much regret that I can not be in New York, Friday night, to aid, as you propose, in promoting the Democratic victory next Tuesday, which is so clearly in sight.

Our club believes in "government by party" for the city, as well as the State and nation, and especially by the Democratic party. If there has been recently in the city, decay of party spirits and discipline, Democratic or Republican, it has been because the city has not had of late "Home Rule" representative government in completeness and a real legislative body. "Government by party" began two centuries and a half ago when Parliament achieved predominance in England, and continuing ever since, has made her greatness.

The "Committee of Seventy" and "Good Government Clubs" in this city tell us that last year they carried the election and created a Mayor to organize and administer a nonparty municipal government, but the Mayor thus created told us on June 19 last, that by exact count he scrupulously distributed the city offices in the proportion of two-thirds to Republicans and the remainder to members of four rebelling Democratic factions "that supported us."

Mr. Platt's Legislature enacted last winter a so-called reform of the police board on a different basis, bi-party instead of no-party plan. It commanded the Mayor to appoint two Democratic and two Republican police commissioners. He did select two thorough-going party Republicans, but evaded the law by appointing the other two, not from the only

Democratic party in the city but from a Democratic faction holding a State Convention and "irregular by the judgment of party authorities," the Supreme Court has recently declared. The police board is, as we all know, supreme over the conduct of city elections. If we can rely on the reported utterances of the president of the board, recently made in Boston, whither he seems to have gone to exhibit his past official doings and future official purposes in this city, and emit Republican edicts respecting the conduct of foreign affairs by President Cleveland, his will is the controlling will of Mayor Strong's reformed police board. His colleagues are dummies. His activity in endeavoring to defeat next Tuesday the party, faithful and zealous members of which his two colleagues are by law required to be, but are not, is apparent day and night. Has New York ever before beheld an omnipresent and all-controlling board of police, thus inspiring policemen who are guardians of the integrity of the ballot-boxes to defeat at the polls one of the great parties in the contest?

Promotion of the cause of temperance and the rescue of Sunday from profanation is a pretense for this activity by reversing the rule of conduct pursued by his official predecessors in this city, by executive officers in Brooklyn, and by those all over the State whose duty it is to enforce the same law.

Mayor Strong has recently told us, over his autograph signature, that all his appointees are "honest, conscientious and capable," but if that be so, and violations of liquor license have been of late so general and frequent as is asserted, why have not the licensed places been closed by revocation of the licenses?

A stranger who reads or hears current exposition of our Excise Law by Mayor Strong's police board could well enough think that policemen are the only executors of those laws. Intoxicants in less quantities than five gallons can not in this State be sold without a license, but it is the board of excise that grants licenses, annuls them and supervises holders of licenses. The excise board is provided with an attorney who is its law adviser. It can compel the attendance of witnesses, answers to questions and the production of books and papers. It is bound to prosecute for recovery of penalties inflicted for violating of licenses. It is required to keep watch over all licenses. Nothing in the Excise Law expressly requires policemen to execute that law.

Certain violations of the Excise Law are misdemeanors, and when a policeman witnesses a violation he can arrest the offender, just as when he sees an assault in the street, but the responsibility for due execution of the Excise Law is primarily on the excise commissioners. The stock in trade of Mayor Strong's new police commissioners is the great number

of violations of licenses before Mayor Strong's crusade began last June, and the great number of violations seen by the police immediately thereafter; but why has there not been a general revocation of licenses, unless it be that violations reported by the police have been imaginary violations. The power of the excise commissioners is ample. On complaint of Commissioner Roosevelt, the excise commissioners, if they believe his testimony to be true, must revoke the license of a licensee who habitually disturbs the peace or decency of the neighborhood, or who, on Sunday, sells intoxicants to be drunk off the premises or to be drunk on the premises without food, or if the licensee has done any act for which the excise commissioners can annul the license.

In neither of those categories need there have been two criminal convictions before the license can be revoked. President Roosevelt spoke unadvisably in Boston when he declared to the contrary. Closing the premises by revoking the license would relieve policemen from further trouble and from the temptation to bribery, but the glory of reform did not lie that way.

Very sincerely yours,

PERRY BELMONT.

Hon. JOHN FOX,

President of the Democratic Club.

SHERMAN'S BIOGRAPHY. CURRENCY LEGISLATION.

(New York Herald, Interview, December 7, 1895.)

WASHINGTON, *December* 6, 1895.— I talked with Perry Belmont to-day concerning Senator Sherman's recently published autobiography. In reference to that portion of it devoted to financial legislation, he said:

"The biography makes it clear how the Treasury came into its present dilemma. Any one reading the book would also see that President Cleveland has shown a way out of the dilemma.

"The first step into the present perplexity was taken thirty-three years ago, when Congress, by a narrow majority, inserted a legal-tender clause into the bill to emit new demand notes, which Mr. Sherman shows he advocated chiefly in order to make one debt with which people would buy another debt — namely, the new bonds.

"The next step was taxing the State banks out of existence and putting National banks in their place, which step Mr. Sherman says he advocated because coined money did not then exist in sufficient quantity for currency and because the State banks could not be relied upon, but he said that:

"'If peace were restored to our country, it ought as soon as possible to go back to a basis of gold and silver.'"

"Peace was restored thirty years ago, but the greenbacks remained.

RESISTED PAYMENT OF GREENBACKS.

"When the war of secession had ended, and Mr. McCulloch was at the head of the Treasury, he urged Congress to begin to pay, redeem and exterminate the greenback debt. A bill passed Congress to do that, at the rate of four millions a month, which Mr. Sherman resisted and now says was a great misfortune.

"He also resisted paying at that time any of the greenback debt. Thereupon sprang into existence the Greenback party.

"The currency question was uppermost from 1867 to 1869. In 1868 Mr. Sherman advocated a bill to stop paying the greenback debt, and to retain all the greenbacks in circulation; and it became law. In 1869 General Grant became President, and the law was enacted which decided the greenback issue.

"In 1873 Congress stopped the coinage of the old silver dollar and made the gold dollar the unit of value, and Mr. Sherman voted for the measure.

"There was a terrible panic in that year, beginning with the failure of Jay Cooke & Co. Revenues fell off, greenbacks parted company still further with gold, and more greenbacks were demanded.

"Senator Sherman reported a bill to limit the greenbacks to $382,000,000. Congress increased the limit to $400,000,000. Mr. Sherman then voted against the bill and President Grant vetoed it. Then the former amount was outstanding, and there were within twenty-eight millions as many National bank notes, each worth only eighty-nine cents in gold.

RESUMPTION OF SPECIE PAYMENTS.

"Grant's veto led up to and made possible a resumption of specie payments — legislation for which began in 1875.

"When the effort began for specie payments, the disregard of opinion in Congress was as great as now over currency, bonds and coinage. All agreed on substituting silver for the fractional paper currency, and destroying it, and few resisted increasing National bank notes and proportionately decreasing greenbacks down to $300,000,000.

"But could the redeemed greenbacks be renewed?

"Here jugglery began. The inflationists and Mr. Sherman said yes. The sound money men said no. The difficulty was avoided by a pitiable silence. Hence our present troubles.

"That was in 1875, and all the greenbacks outstanding were to be redeemed in 1879.

BLAND-ALLISON LEGISLATION.

"Tilden was elected President in November, 1876, when Hayes was counted in, and Sherman became Secretary of the Treasury.

"In 1876 Mr. Sherman advocated restoring the old silver dollar to coinage on the plan adopted in the Bland-Allison Law, two years later, excepting that the dollar was to be a legal tender only up to $20.

"President Hayes vetoed the Bland-Allison silver bill, but Secretary Sherman did not agree with his chief.

"In 1878 Mr. Sherman urged the enactment of the law to prevent the extermination of greenbacks below $346,000,000, and to forge the endless chain that is now strangling the Treasury

"President Harrison and Secretary Windom, when they came into power, in 1889, urged an increasing use of silver, and out of it came the Sherman Silver Law of 1890, of which he was the chief architect.

"He intimated that he urged the bill because of apprehension that the President would not veto free coinage after he had commended a larger use of silver. It was President Harrison who reopened the silver question. Mr. Sherman says that he did not think silver would further decline in value.

"His law of 1890 increased the greenbacks by some one hundred and fifty millions, and so added to the endless chain difficulty. Under President Cleveland's lead, Mr. Sherman voted in 1893 to stop silver purchasing and Treasury coinage of silver, which he had advocated from 1876 to 1893.

WHO IS RESPONSIBLE?

"I think," added Mr. Belmont, "that no one can clearly discover who is most responsible for the terrible panics of 1873 and 1893, and our existing difficulties without reading Senator Sherman's autobiography.

"He, as Secretary of the Treasury, put upon the statute book the law of 1878, making himself and his successors liable to impeachment, if, having received into the Treasury an old greenback, such old greenback is not immediately put out again, keeping back, if need be, any other paper currency or silver or gold.

"He also put into the Sherman Law of 1890 a clause which every one interprets as preventing the Treasury, whenever a foreigner, selfishly seeking our gold, presents greenbacks for redemption, from paying silver, and thus thwarting the purpose of his selfishness.

"He is now reported as charging the President with inability or lack of courage, because he did not in his recent message set forth what every one knew — that when a bond has been sold to buy gold for the 'endless chain,' and a greenback has been presented to get gold out of the Treasury, the greenback must go out again in defraying current expenditures.

"Senator Sherman condemns the President for not telling Congress of a deficit which that Senator says every Congressman and every one else knows is in existence. Why tell Congress of a fact of which, if indeed it be a fact, Congress already knows?"

PRAISES THE MESSAGE.

I asked Mr. Belmont what he thought of the message. He replied:

"I think it is the best thing that has emanated from Mr. Cleveland; and the conduct of the Republicans in Congress since the message proves that we now have issues under which to gather in our scattered forces.

"Democrats in and out of Congress should unite in taking advantage of the opportunity we now have."

SECRETARY CARLISLE'S REPORT ON THE MONETARY SITUATION.

PLAN OF A POPULAR LOAN.

(New York Herald, Interview, December 12, 1895.)

I had a conversation yesterday with Mr. Perry Belmont concerning Mr. Carlisle's Treasury report and the Herald's endeavor to persuade Congress to obtain the needed gold for greenback redemption, by authorizing a gold bond to be sold at home.

He said the Treasury makes a calm, clear and convincing exposition of our existing monetary condition and the causes. It makes plain the fact that the Greenback Reissue Law of 1878, compelling the Treasury to immediately put out again a redeemed greenback in advance of any other currency or coin, together with the Sherman Law of 1890, creating $155,000,000 of new greenbacks to be redeemed, and the "parity" clause of that law, interpreted by the Treasury so as to embrace in gold redemption on demand every form of our paper promises to pay dollars, have put the Treasury in its present "*cul de sac*."

"The 'silver bugs' tell us," he continued, "that, leaving apart China, India, the Straits settlements, Mexico and the smaller States of Central and South America, which are silver monometallic, there is not gold enough for the United States and Western Europe. Hence the scramble.

"The 'gold bugs' tell us there is no scarcity of gold, and especially as the world's annual production has been increased since 1890 by over seventy millions of dollars.

"The bimetallists tell us that the monetary dislocation of a dollar a century ago, the destruction of the French bimetallic par which up to that time had united as money the world's mass of the two metals, are at the bottom of our money troubles, and that all will not go well till 'the small fore wheels (gold) of our money carriage are reunited with the large hind wheels (silver) by the stout international beam of fifteen and one-half to sixteen.'

QUESTIONS INVOLVED.

"If the first of the last be true, and if there is not gold enough to be conveniently had for our own purposes and those of Europe, it had best

now be demonstrated to all of us by the failure of Congress, enlisting all our people in a popular gold loan, and by other appropriate laws, to collect and keep in our country all the gold it requires.

"The deficit-breeding Republican McKinley tariff and the next Democratic tariff may, after the excision of the income tax, have increased distrust growing out of perpetual gold redemption; but obviously no sort of taxation which brings into the Treasury only paper currency can get and keep gold for redemption purposes.

"None of the old greenbacks ($346,681,016) redeemed can remain in the Treasury. Each and all of them must, under present laws, be expelled and be again redeemed in gold on demand. And so must all the varieties of our paper dollars be on demand redeemed in gold; but all, excepting the old greenbacks, can remain in the Treasury if there be a surplus revenue. The voters have wisely decided they will not single-handed try free silver coinage, and so we must go on redeeming in gold on demand all our paper and silver currency.

"When one sees foreigners using the law of 1878 to draw out our gold from the Treasury to fill European bank vaults or war chests, one sometimes wishes that like the Bank of France, for its notes our Treasury could tender part silver and part gold, but that can not safely be, even although we have to sell bonds to get the same gold back again. As the Treasury now gets little or no gold from duties and taxes, it must under the present laws go into the market and buy it with new bonds, in order to redeem the greenbacks as long as holders will present them for redemption.

MUST BUY GOLD.

"No quantity of paper surplus will prevent the necessity of buying gold. Since the law of 1878, and the Sherman Law of 1890, increasing gold redemption and creating universal distrust of the Treasury, power to redeem our gold has emigrated in a steady stream, or been here hoarded. The greenback, instead of being the beneficent agent it had been considered from 1862 to 1866, is now, under the law of 1878, an injury worse than the Russian thistle is to the Northwest.

"Had not the law of 1878 repudiated the pledge of the Redemption Law of 1875 to redeem in 1879 'the United States notes then outstanding,' the present evil would not be upon us. How shall we get the needed gold for redemption and diminish the desire and power of any holder of our paper currency from perpetually demanding redemption in gold? That is the pressing problem.

"Party leaders are — too many of them — exploiting it for party and not patriotic purposes. The Populists cling to their fads, but Democrats and Republicans united against Populists to repeal the Sherman Law. Neither of the two former got advantage over the other, but both delighted the country. Why not try again such concert of action? The Republican House can not be deprived of the glory in it, nor can Democrats in the Senate be deprived of theirs. Why now await taxation legislation any more than in repealing the Sherman Law? A half dozen years ago the Treasury stock of gold was $190,000,000. When the McKinley and Sherman laws were well under way it began to diminish. Since then, the Treasury, by selling bonds, has collected the needed gold for itself and all the rest of us. Need that continue in the future?

GIVE INDIVIDUALS A CHANCE.

"Individuals should be able to buy gold as well, if not better, than Congress. Nearly every one has something to sell with which to buy gold 'abroad' or at home, and even pay a little premium caused by freight and commissions if need be, if paying the premium shall be for one's individual interest. If individuals can not get the gold then the inference will be that the yellow metal is not sufficiently abundant for all our needs, and the silverites will score a point.

"Congress should encourage us to try. If may be individuals can, if Congress will help, turn the golden tide our way, as it was a decade or so ago. Why will Congress not aid us to try by a three per cent. gold bond, payable in gold, open to subscription at home by all our people, such as the Herald advocates, a popular loan large enough and constant enough, in the discretion of the Executive, as under the law of 1874, to enable the Treasury to always have beyond a peradventure gold sufficient for redeeming purposes? And then to check presentation for redemption a modification of the law of 1878, so that every greenback redeemed in gold shall be destroyed.

"Will not that put the wit and energy of our people to collecting the needed gold wherever it can be had to pay for the Government bonds they wish, which gold will go into the Treasury and also into circulation?

THE LAST ANALYSIS.

"In the last analysis of the whole situation it comes to light, of course, that the Treasury should not be in the business of redeeming in good money paper currency which needs redemption because it is not

good money. Such issuing and redeeming of paper money is the function of banks and their shareholders. But one thing at a time, and each in its own order. No tariff reform or banking reform or an ordinary loan for defraying the expenditures presses now so much as getting gold by a popular effort for the Treasury redemption of greenbacks and permanently allaying distrust of such future redemption by destroying the redeemed greenbacks, modifying to that extent the law of May 31, 1878.

"It is the opportunity and the encouragement of our own people by bonds first offered for popular subscription at home, and in our home market, to collect gold for the Treasury that is needed. As to the wage-earners and small investors, a little attention by Congress to details and the aid of the Post-Office Department ought to enable such wage-earners and investors of savings to transfer their deposits from the savings banks and other banks into gold and then into the bonds. It is not to be expected that these banks and trust companies will refuse to pay gold for this purpose to their depositors."

SECRETARY CARLISLE'S BOND CALL.

(New York Herald, January 7, 1896.)

Mr. Perry Belmont, who dealt efficiently with the greenback and bond question in his speech before the last Democratic New York State Convention, in reply to Senator Sherman's Madison Square speech, and has since advocated an honest offering of all new Government bonds to a really popular subscription before making a sale to any syndicate of banks, trust companies, or bankers, expressed yesterday his satisfaction with the Treasury proposal issued Sunday evening.

He said the existing conditions in the country were these:

"Many banks, trust companies and individuals had gold to sell to the Treasury which had bonds to sell with which to obtain the gold. Naturally the sellers of the gold had been endeavoring to get the highest price for it, and to buy the bonds at the lowest price. How the recent war scare had been used at home and abroad to accomplish each may some day be revealed.

"How much gold coin there is in the country no one knows. The estimates made in the mint reports are guesses based upon a guess made by the Treasury many years ago. But even if the Treasury estimate is excessive, individuals can buy gold abroad and export it as well as can the Treasury.

TO SUPPORT SOUND FINANCE.

"If the people of the country are prepared to make pecuniary sacrifices in a war for the 'Monroe doctrine' it will be nonsense to say they will not make some sacrifice to support the credit and sound finance of the Government now if they think both in danger. Good credit and sound finance are the indispensable instruments of economical and successful war.

"So long as the Treasury is in the business of emitting paper currency, it should redeem it in real money whenever called upon. Under existing laws that real money is gold, and gold the Treasury must have. If our people, our investors, and our wage-earners do not wish or intend to aid in furnishing the Treasury with gold to redeem the paper currency on demand, the fact should be known.

"The wish and intention can now be tested by the response to the Treasury proposal. Our countrymen can now indicate how much they are willing to pay in gold for a four per cent. coin bond as an investment. When they subscribe on a four, three and three-quarters or three per cent. basis we shall soon discover.

"Congress and the President can now by law," added Mr. Belmont, "increase the selling price of the new bonds. The pivot and turning point is the greenback. If every one believes that the redemption in gold of the greenback which, when presented for redemption, is insured beyond peradventure, the price of the bonds will rise and the interest basis fall to probably three per cent.

"All turns upon the Greenback Reissue Law of 1878, about which Senator Sherman has so very much to say. It commands the Treasury to reissue and ever keep in circulation each redeemed greenback. Repeal that command and the price of the new bonds will most certainly rise. That should be done before the new bonds are emitted and not afterward. It is not necessary to destroy all the greenbacks. It will be sufficient to destroy only those which shall hereafter be redeemed in gold.

REDEMPTION OF GREENBACKS.

"If no one presents them to be redeemed no gold will be needed to redeem them. Of course, few will be presented for redemption when it is known that the Treasury will always be able to redeem and will redeem, and that cancellation will be the certain result of redemption. Then the trust companies and banks will naturally prefer to hoard and hold greenbacks instead of gold, because the former will be in effect gold certificates.

"Then the gold will go into the Treasury or into circulation. Then

our bonds should sell on a three per cent. basis. Why," asked Mr. Belmont, "are our trust companies hoarding gold when all the greenbacks are a full legal-tender for all the debts we owe?

"Simply because of a fear that the Treasury, on account of McKinleyism and the Sherman Law, may not be able to maintain the 'endless chain.' If a stop is put to the working of the 'endless chain' all will be well.

"Destroy all greenbacks hereafter redeemed in gold and the 'endless chain' will, of course, disappear. Cancel the redeemed Sherman greenbacks and the idle silver bullion in the Treasury must, under the law of 1890, be coined to take their place. Congress can now, if it will, by making it more easy for individuals to apply for bonds and by simply so modifying the Greenback Reissue Law of 1878 as to compel the destruction of the redeemed greenbacks, elevate the new bonds to a three per cent. basis, and also make the Herald popular loan plan a great and beneficent success.

"We shall now discover whether or not our countrymen who are willing to go to war to prevent oppressions in Venezuela are patriotic enough in the present emergency to sell their gold to their own Treasury and buy their own Government bonds as an investment."

THE SENATE ON CUBA.

(New York World, Interview, March 13, 1896.)

Mr. Perry Belmont in an interview with a World reporter yesterday, said:

"Congress must have changed very much since I had the honor to be a member of the House during nearly eight years of service on the Foreign Affairs Committee. A few men whom I remember, carried away by their enthusiasm for an impossible millennium of peace to be attained by the so-called Pan-American Congress are to-day posing as warlike militarists, as if universal war had been their constant occupation.

"I can not understand the act of the chairman of the Senate's Foreign Relations Committee basing his argument for the recognition of Cuban belligerency on a careless newspaper translation of a pamplet written by a deserter from the Spanish army. Senator Sherman led the Senate to adopt the resolution of recognition, but Senator Hale denounced the statements upon which recognition was hurried through as 'audacious, mendacious, fictitious from beginning to end.'

MR. HITT'S COURSE.

"I do not recognize Mr. Hitt, the chairman of the House Committee on Foreign Affairs, in his present weak and vacillating course, after leading the House to act without sufficient authority, as Mr. Boutelle pointed out.

"In touching upon this delicate ground I know perfectly well that some of my friends in the House and Senate will say that a New Yorker is influenced by commercial considerations. It is quite true that should the Congressional speeches recently delivered be taken seriously they might be described as 'commerce destroyers' directed against our own country, and a hostile fleet of such vessels might well be named, 'The Frye,' 'The Lodge,' 'The Allen,' etc.

"Commercial considerations do not alone control in New York. It is not necessary to recall important military and naval services of the city and State whenever the nation required them.

"There are New York bankers and merchants whose parentage, whose traditions extend through every war of our history, beginning with the

Revolution itself, and whose personal services to the country prove them as good and as true patriots as are in the House or Senate. Jingoism is the opposite of patriotism. It has not even the merit of being an American word. It signifies the spirit which, at times, actuates certain sections of English opinion, and our real jingoes are the direct and lineal representatives of that type of British insularism, or provincialism, which has made itself everywhere hated and ridiculed.

"Here it is either anglomaniac or anglophobist. It knows and recognizes only the English-speaking world. The rest is unconsidered. When men of this description undertake to meddle with or control our relations with other powers our country's interests must inevitably suffer, particularly if they are relations with continental Europe.

"The insulting and ignorant references to the Spanish people and their Government are sufficient evidence that such men are unfitted by their temperament and training to deal with foreign questions, and had better devote their talents and their experience to the domestic affairs of the country, so much in need of their attention.

THE MONEY QUESTION.

"Why do they not occupy themselves with the unit and standard of value, coinage, and coined money?

"The existing currency system is not at all satisfactory. Issuing yearly a hundred millions of bonds merely in order to perpetually redeem greenbacks for gold, which are to be reissued to be again redeemed, seems as a system to be worse than folly, even if now necessary to maintain the parity of all our dollars. The contention of the silverites, West and South, in regard to free silver coinage, can not be accepted by New York until they have demonstrated that their plan will not debase the present gold standard, but will immediately put sixteen ounces of silver on a commercial parity with one ounce of gold and maintain such parity.

"We all understand that the existing parity of a gold dollar and a silver dollar is not in the United States a commercial bullion parity, but is an artificial parity maintained solely in our own country and by compulsory statutes which if repealed would cause a silver dollar to immediately have only half of the purchasing power of a gold dollar.

"New York, come what may, will not willingly consent that there shall be a condition of things in which a new Congress and President may be chosen to declare that antecedent contracts and debts payable in gold dollars specifically can be discharged by tendering standard silver dol-

lars — this on the theory that Congress can make full legal-tender dollars out of anything it chooses.

WILL NOT TAKE THE RISK.

"New York will not willingly take the risk of a future Supreme Court declaring valid such a law making a fifty-cent silver dollar full legal-tender for an antecedent promise to pay a hundred cent gold dollar, just as a former Republican court upheld the greenback legal-tender enactment of 1862 and 1878.

"In the affair of Cuba the chairman of the Senate Foreign Relations Committee considers that he justifies his action by saying that:

'The great mass of the American people are in entire accord on this question. They have a hearty sympathy for the people of the island now struggling for their liberty, and believe we ought to recognize their belligerency, so that they can conduct their war on an equal footing.'

And, again, he says:

'The sentiments of the American people have not changed, nor will they change so long as any people on this earth are fighting for the freedom that we now enjoy.'

"There is no doubt that the American people sympathize with Cuba, but the question of law that is involved in a recognition of belligerency has no connection with any sympathy we may have as a people, and it is impossible to suppose that Senators of the Foreign Relations Committee are not aware of this very simple fact. It is their duty as members of that body to instruct public opinion and not blindly to follow a sentiment which might lead our Government into a false position.

"I asked one of my Long Island constituents to-day how the people felt in his neighborhood. He replied, 'in our town we are Cubans,' and he added; 'but I think this country ought to go slow.'

"He represented the honest sentiment of patriotic Americans. The constituents of the Senators and Representatives in Congress, while sympathizing with Cuba, are anxious to do what is right, and should be assisted in forming their judgment by those in the State Department, who have exceptional means of information and are supposed to know the requirements of international usage.

"When public servants signally fail in their duty to their country, they may be treated as public enemies on occasions like the present. The honest, patriotic feeling of the people should not be exploited by reckless politicians.

"We are on the verge of an exciting Presidential campaign. It must degenerate into a controversy as to who or which party can most successfully juggle with American patriotism. Men who show a reckless lack

of appreciation of the country's interests in this respect must be checked and silenced by public opinion.

"Every Democrat in New York sincerely wishes that Cubans may have home rule. Democrats in this city have been endeavoring to secure that for themselves. But there should be no foreign war, unless in vindication of the plighted faith of the nation or in self-defense. The Constitution has placed the recognition of new States, belligerent or independent, inchoate or completed, in the hands of the President, unless war is to be declared, but some men in Congress are now endeavoring, in the Cuban question, to resolve the Government into a sort of constituent assembly, exercising all power, legislative and executive."

THE ALLISON AND THE McKINLEY MONEY PLATFORMS.

(New York Times, March 16, 1896.)

Perry Belmont expressed yesterday his opinion of the Allison and McKinley money platforms, and also asked some pertinent questions that would-be candidates for the Presidency may find it difficult to answer, in the light of their past declarations and the general demand for "sound money" and a confidence-inspiring financial policy. Of the Allison and McKinley platforms he said the former was a mere declaration of the opinion Senator Allison had held in the past; that he had been favorable — only favorable — to what he, Allison, calls "true bimetallism;" that he had at all times labored to maintain an abundant currency of gold, silver, and paper, made interconvertible, and that he had demanded for "the business of the nation a currency equitable and stable."

"Nothing is indicated in regard to his present opinions," Mr. Belmont said. "If it be said that we estimate his future purposes by his past acts, we shall still be in the dark. What is his definition of 'true bimetallism?' Mr. Cernuschi invented the word. Does Senator Allison accept Cernuschi's definition of his one word? The essential requisites of bimetallism, as formulated by our Coinage Law of 1792, were, first, open mints for everybody's gold and silver alike; second, a fixed ratio of weights; third, unlimited legal tender for each coin, whether gold or silver. Does Senator Allison 'favor' that?

"To-day we have only partial bimetallism in this country. We have no open mints for everybody's silver; our silver dollars are coined only on Government account, and are, it is true, full legal tender, like gold coin, but our minor silver coins are not full legal tenders. Before we can have bimetallism we must again open our mints, as in 1792, to everybody's silver. Does Senator Allison favor doing that?

"The last Republican National platform, adopted in 1892, declared:

'The American people, from tradition and interest, favor bimetallism, and the Republican party demands the use of both gold and silver as standard money, with such restrictions and under such provisions, to be determined by legislation, as will secure the maintenance of the parity of values of the two metals, so that the purchasing and debt-paying power of the dollar, whether of silver, or gold, or paper, shall be at all times equal.'

"The first part of the declaration, and down to 'with such restriction,' was written, as he says, by Senator Teller, of Colorado. He objected to the last part, which he did not write, but which he now insists was not then and is not now inconsistent with that pure bimetallism, such as the United States enacted in 1792.

"In the Senate debate of the 26th of February, begun by Senator Carter's speech, Senator Sherman defined 'bimetallic money' as that which began to exist with us in 1853, when the Treasury purchased silver bullion and coined underweight subsidiary coin of limited legal-tender power. That is the existing English system, which is gold monometallism.

"This is what he said:

'We maintain the parity of the two metals by limiting the supply of the cheaper one. We buy the bullion from the people of the United States or in the markets of the world, and we coin it into money on the old basis of 16 to 1. But, in order that we may maintain the silver coin at a parity with gold, we limit the amount, and only make it an act of the Government which maintains those coins, of less market value, at a parity with gold.'

"Mr. Allison also said:

'My idea of bimetallism is that both metals shall be adopted and used in this country as far as possible and to the extent that they can be maintained at a parity with each other. In order to bring about that condition, as a matter of course the silver dollars and the silver coins must be maintained at a parity with gold.'

"That makes silver," said Mr. Belmont, "only a fiat money. That plan excludes free bimetallic coinage with or without international agreement, because only the Government is to coin silver; that silver dollars are to be coined by the Treasury, as well as half dollars and quarters, is immaterial. Free bimetallic coinage does not exist.

"Who knows whether that is Senator Allison's plan? Senator Hoar declared it was not his or Massachusetts, which seeks, he said, international free bimetallic coinage and rejects President Cleveland's plan, which is, he affirms, what Senator Sherman says is his."

Mr. Belmont went on to say that the McKinley platform, stripped of its incumbering verbiage, is this:

'We contend for a currency of gold, silver, and paper, and to that end we favor bimetallism and demand the use of both gold and silver as standard money on a ratio fixed by international agreement or by our own laws, which will establish the parity of the two metals and of our dollars.'

Whose silver? That which belongs to individuals or only that of the Government?

"Senator Allison, like the Ohio Republican platform, favors bimetallism, but does not say which sort — that of 1792, the Teller and Hoar

sort, or only the Sherman sort. 'Standard money' consists of standard coins which are of unlimited legal-tender power, which represent the statute unit of value, which our present silver dollar does not.

"No one knows whether the Republicans of Ohio intend to modify the law of 1873, and make the silver dollar a unit of value as well as the gold dollar. An international agreement seems now to be unattainable.

"Mr. McKinley does not declare what change is necessary in our present system in order to put our two metals and also the two coined dollars on an intrinsic and real parity. Does he hold to the existing 'makeshift?' No one can discern an answer to the Ohio resolution.

"To shout 'honest money,' 'untarnished money,' 'sound money,' signifies nothing in this crisis.

"Mr. McKinley, Saturday, at Canton, Ohio, referred to the recent Ohio Republican platform, and declared his own views by quoting from his speech in 1890, these words:

'Whatever dollars we have in this country must be good dollars, equal dollars, equal in inherent merit, because good not by the fiat of law alone, but good because the whole commercial world recognizes their inherent and inextinguishable value.'

"No one can truthfully say that our silver dollars are 'good' in that sense. Nobody in America or Europe recognizes them as of the same 'inherent and inextinguishable value' as our gold. When exposed to the crucible our silver dollars shrink in value nearly one-half, relatively to our gold dollars. That one-half is purely 'fiat' money, created by the 'fiat of the law alone.' McKinley must revise his speech of 1890 to make it fit the Ohio platform of 1896.

"The questions New York wishes answered by each candidate are these:

"'Do you intend resolutely to maintain the present unit and standard of value, which is a gold dollar of twenty-five and eight-tenths grains?'

"'Do you intend to promote a silver unit of value, either alongside of (as in 1792) or displacing the gold unit?'

"'Do you intend, as a bimetallist, that silver shall be kept, as now, inferior to gold, and, unlike gold, be excluded from the freedom of our mints?'

"'Do you intend to try to make any part of our public debt payable in silver dollars?'

"'Do you wish silver to be a full legal tender for a private debt calling specifically for gold dollars?'

"'Do you intend that any part of the greenback debt shall be redeemed by the Treasury in silver dollars?'"

THE REPUBLICAN POSITION.

(New York Tribune, March 23, 1896.)

[CONTINUED FROM OCTOBER 5, 1895.]

To the Editor of the Tribune:

Sir.—The opinions and purposes of the Republican party and of its avowed aspirants for the Presidency respecting coinage are this year of unusual importance. Is that party and are those aspirants content with our existing coinage statutes and the Treasury interpretation and execution of them? If not, then what reform do they propose?

Referring, I assume, to my comments recently published on the Republican Ohio and Iowa platforms, the personal views of Senator Allison and Mr. McKinley and the Republican National platform of 1892, you make the editorial headline, "Democratic Word Juggling," and declare that the

"Careless use of the phrase bimetallism in political discussion is responsible for much current misapprehension which men of Belmont's standing should strive at all times to remove."

The purpose of my comments was not, as you say;

"To set Republicans to quarreling with each other over an entirely different question as to, namely, whether legal-tender notes should be retired."

but was to show that neither Senator Allison, nor McKinley, nor the platforms of their two States, nor Senator Sherman, vindicates "bimetallism."

You declare the word "bimetallism is not used by competent students or monetary teachers to refer to the use of a subsidiary or purely representative currency." In that statement I concur, but Senator Allison and Mr. McKinley do not. You add:

"The Republican party stands with great unanimity upon its declaration in favor of currency, embracing gold and paper, every part maintained at par with gold. This is not 'bimetallism' in the scientific sense of the word, nor does the Republican party regard such bimetallism as attainable excepting by international agreement, but it strives to use silver as a subsidiary, representing gold only so far as that representative character can be safely maintained."

With the last sentence of that paragraph I concur. It is what my comments on the present attitude of the Republican party intended to maintain. I do not say that Senator Allison, Mr. McKinley and the Republican leaders generally, West and South, are juggling with bimetallism, and guilty of false pretense when asserting their own advocacy of "bimetallism;" that would have been offensive, even if true.

I mentioned the invention and first use of the word "bimetallism" by Mr. Cernuschi. The origin is important. He has said in his monograph "Bimetallic Par," and in his notes submitted to the British Gold and Silver Commission:

"It was on January 9, 1869, at the Economists dinner at Paris, that disliking the use of the deceptive expression 'double étalon' (double standard), I improvised a new one, 'Monnaie bimetallique.' I have since taken the name of bimetallists for us who were called advocates of the 'double étalon' and I have given the name of monometallists to those who called themselves opponents to the double étalon. The word 'bimetallism' is new, but the thing is old, very old."

That was said twenty-seven years ago.

Mr. Cernuschi added that "in 1834 the United States superseded bimetallism at fifteen by bimetallism at sixteen." Referring to France before 1873, he says:

"Upon small fore wheels (gold) and large hind wheels (silver) the carriage ran admirably because a stout beam (the fifteen and a half ratio) joined them: it is not the fault of the small wheels nor yet the fault of the large wheels if the carriage now runs with jerks and shocks. It is because the beam has been broken. Let the beam be restored and the carriage will run as before."

Such is Mr. Cernuschi's bimetallism, which, in other monographs, he makes synonymous with free bimetallic coinage (at a fixed par) of full legal-tender coins. That is also the meaning of bimetallism as set forth in "The Encyclopedic Britannica," edition of 1883, volume 16, page 736. That is the definition of Secretary Manning in his reports to Congress:

"Free coinage of both metals for all comers, at a fixed ratio of weights, into coins of unlimited legal tender."

That is also the definition of the word by every English and American economist whose writings I have seen. That is also, I assume, the definition of the word as used by the Republican National Convention of 1892 in this resolution:

"The American people from tradition and interest, favor bimetallism, and the Republican party demands the use of both gold and silver as standard money,

with such restrictions and under such provisions, to be determined by legislation, as will secure the maintenance of the parity of values of the two metals so that the purchasing and debt-paying power of the dollar, whether silver, gold, or paper, shall be at all times equal."

The Republican party thus demands the use of silver as "standard" and not as "subsidiary," to token money, which you say it now prefers, unless there can be international agreement.

Excepting the legislation of 1853, relating only to silver coins less than a dollar, for which the Treasury was to buy silver and extensively coin, for which the ratio was lowered from sixteen to fourteen and eighty-eight hundredths and broke the continuity of free bimetallic full legal-tender coinage, the United States had bimetallism from 1792 to 1873. In 1873 Congress, for the first time, expressly and specifically made the gold dollar of twenty-five and eight-tenths grains the "unit of value," and the silver laws of 1878 and 1890 did not alter the unit.

In 1873 all silver coins were made subsidiary and of limited legal tender. They were to be coined only on Government account, and the coining of a full legal-tender silver dollar was not permitted. That was precisely the existing English system of gold monometallism. In 1878 came the Bland-Allison Silver Dollar Law which left standing the monetary gold unit of 1873, and authorized a coinage (but only by the Treasury) of full legal-tender silver dollars. Had free coinage of silver been added there would have been bimetallism. There is now only partial, imperfect bimetallism. Mr. Cernuschi has described it as "humpbacked monometallism," the silver dollars being the hump.

By President Harrison's reopening of the silver question in his annual message, came the Sherman Law of 1890, which Senator Sherman has, in effect, said was enacted because of the fear that the Republican President would not veto a free bimetallic coinage bill. I am at a loss to understand why you say that the Sherman Law "in fact stopped silver coinage." The coinage was stopped by the repeal of the Sherman Law.

I have shown, and largely on your own statements, that the Republican party does not now stand for bimetallism, or gold monometallism, or silver monometallism. What coinage system does it advocate? Is it "on the fence" and fearful of a descent on either side? I do not ask concerning paper currency, paper dollars, but coinage. I have also demonstrated that the country has now only a partial and imperfect bimetallism, because silver coinage is not free. A gold dollar unit of value does not contradict that. The country had bimetallism, free bimetallic coinage of everybody's silver and gold into full legal-tender coins, from 1792 to 1873; but what was the unit of value. Perhaps a silver dollar, and

perhaps not. That enactment of 1792 should be carefully read. Two units are inconceivable, but the coining of one unit in two metals is not.

Does the Republican party advocate, or does it condemn, the coining of more full legal-tender silver dollars? That is a vital question. I say nothing of the opinions of the New York Democracy, or of my own unimportant individual views respecting the future attitude of the Democracy as to coinage and currency. They are not here in controversy.

PERRY BELMONT.

NEW YORK, *March* 20, 1896.

[*Correspondence Continued.*]

REPEAL OF THE SHERMAN LAW.

(New York Tribune, March 30, 1896.)

To the Editor of the Tribune:

Sir.— Your correspondent, Mr. Horr, gives the "rider" placed by Congress upon the repeal of the Sherman Law and declares it to be "identical in scope and intention and largely in words" with the recent Republican platform adopted in Ohio, and asks what objection we "fault-finders" with the McKinley platform can point out.

The "rider" is in language substantially the Democratic platform of 1892, but does not apply to the conditions of 1896. The question to-day is this, "shall the Treasury, until international free bimetallic coinage has come, coin any more silver?" How is that answered by the "rider," which is as follows:

"And it is hereby declared to be the policy of the United States to continue the use of both gold and silver as standard money, and to coin both gold and silver into money of equal intrinsic and exchangeable value, such equality to be secured through international agreement, or by such safeguards of legislation as will insure the maintenance of the parity in value of the coins of the two metals, and the equal power of every dollar at all times in the markets and in the payment of debts. And it is hereby further declared that the efforts of the Government should be directed to the establishment of such a safe system of bimetallism as will maintain at all times the equal power of every dollar coined or issued by the United States, in the markets and in the payment of debts."

It is there declared that the "policy" is to coin both gold and silver into money of equal "intrinsic" value. Who now proposes that, or intends it, until international bimetallism shall put an ounce of gold on a worldwide mint parity of value? No possible "safeguards" can be enacted by our legislation alone which could "insure the maintenance of

the parity in value" of our gold dollars and our silver dollars in the markets of the world. I repeat that no one can define the "rider" of the McKinley platform as applicable to the conditions of to-day.

Congress can not make Treasury conversion into gold on demand of every silver dollar, silver certificate and greenback so certain that a want of confidence and another panic may not come any day as in 1893, if the coining of any more silver or the emission of any more greenbacks are under the present conditions permitted. And yet McKinley, Senator Allison and the Republicans do not say, and probably will not say, they are opposed to coining more silver till international free bimetallic coinage shall have arrived.

PERRY BELMONT.

NEW YORK, *March* 24, 1896.

[*Correspondence Continued.*]

REPUBLICAN FINANCE.

(New York Tribune, April 1, 1896.)

To the Editor of the Tribune:

Sir.— The immense importance to New York and to the country of a correct decision of the pending coinage and currency issues will, I hope, successfully plead with you my excuses for another reply to Mr. Horr, who vindicates the McKinley Ohio platform.

An explanation of all the reasons why the conditions of 1892, when the two parties constructed their national platforms, are not the conditions of 1896 would be wearisome. Three will suffice: In 1892 the odious "Sherman Law" was unrepealed; the cruel and relentless panic it caused had not begun; our business men had not seen the causes and consequences of that panic as now they do.

I do not question the accuracy of Mr. Horr's insight into a millstone, and knowledge of what the Republicans must and will do at St. Louis in regard to more silver coinage and greenbacks.

In the early part of his letter he says:

"I repeat that the Republican Convention will be nearly solid against the free coinage of silver upon the ratio of 16 to 1, or upon any ratio not agreed upon by the commercial nations of the world."

In a later part he varies the statement so that it reads in this wise:

"I also repeat once more, there is really no difference among the members of the Republican party outside of a few mountain States upon this money question.

We are solidly against the free coinage of silver upon any ratio which will destroy the parity of value between the dollars that circulate as currency in the United States."

Mr. Horr invites my attention to the opening again of our mints by Secretary Carlisle to the coinage into more silver dollars of the useless bullion bought under the Sherman Law. If the unrepealed part of that iniquitous law requires such coinage, the country must endure it. I have never been able to interpret a definition into that "makeshift" legislation, and so can not say what its coining requirements are.

Mr. Horr announces, in reply to my question, a third and quite novel gloss of the McKinley Ohio platform. He affirms:

"This one fact is clearly laid down in the Ohio platform, 'That there shall be no further coinage of silver, which will jeopardize the ability of the Government to keep every dollar of our circulating medium equal in value, equal in purchasing and debt-paying power with each and every other dollar.' That one principle honestly followed, will solve this whole problem and keep our national finances upon a sound and honest basis."

That Ohio Republican idea of the "gold standard," its requirements and obligations, is that Congress shall not only be free, but encouraged to coin as many more fifty-cent silver dollars, and emit as many new greenbacks with which to pay for purchased silver bullion, as the Treasury can, under an unlimited power to issue bonds with which to purchase gold for redemption, keep on a parity with our gold dollar in our own country only.

How is that much better or safer, or more sound and honest than, solitary and alone, opening our mints to free silver coinage, and then selling bonds in unlimited quantities for gold whereby to keep our silver dollars, and silver certificate dollars on a "parity" with each and every other dollar?

I hope New York will have nothing to do with either plan but to condemn it.

PERRY BELMONT.

NEW YORK, *March* 31, 1896.

LETTER TO JOHN H. VAIL, OF SUFFOLK COUNTY.

(New York Sun, April 6, 1896.)

In answer to a letter received from John H. Vail, of Suffolk county, on the part of the Democrats of that county, making inquiries as to his

opinions on the coinage and currency questions, the Hon. Perry Belmont makes the following reply:

DEAR MR. VAIL:

Your letter of the 4th instant, saying that our Democratic friends on Long Island wish my views respecting coinage and currency, has been received.

If that were possible, I wish, as I think you do, that by the joint action of all commercial countries, everybody might have the right of carrying to the mint silver and gold and getting it back coined into full legal-tender money. That is bimetallism, the essence of which is internationality, and a fixed ratio arranged with us by European concert.

We have now some 423,000,000 of silver dollars and 77,000,000 of dollars of minor silver coins. That $500,000,000 of silver is bad metallic money, because it can not, like our gold money, bear either the ordeal of fire or a voyage across the sea. Our silver money, when subjected to the crucible, loses half its value; it is unexportable; we can not pay debts with it in Europe excepting by great loss. Every uncoined ounce of gold is, on the other hand, by free coinage, worth as much as a coined ounce; it is not increased in value by the mint; it does not lose value by returning to the crucible. Not so now with silver.

Nominally, our coined stock is $556,000,000 of gold and $500,000,000 of silver, but, really, there are only some $250,000,000. One-half of our silver coinage is as absolutely fiat money as are our $490,000,000 of greenbacks. The whole superstructure of $500,000,000 of silver and nearly as many more millions of greenbacks now stands at the point like an inverted cone, on $100,000,000 of Treasury gold, which has recently cost that sum in bonds each year to replenish for redemption purposes.

Mr. Cernuschi has been, for more than a quarter of a century, the most learned exponent of bimetallism. An Italian by birth, he was long a banker in his native country and afterward at Paris. In 1877 he was asked by the United States Monetary Commission, sitting at Washington, to attend the commission, and he came. He said then, as reported in his printed testimony, that France and the United States could maintain the bimetallic system without the aid of either England or Germany, but it would be "great audacity" in the United States to quite alone attempt bimetallism. In a monograph published nine years later, he said:

"So long as France, to maintain the bimetallic par, had only to face the chances of mine productions, she did not flinch. She flinched in 1873 from the proscription everywhere pronounced against silver, and from the menace of being left without gold at home if she continued to take German silver and give gold."

He added that:

"As soon as the coinage of silver by the United States was free, Europe would act toward the United States as Germany acted toward France so long as France coined silver. Europe would demonetize large masses of silver and send them to Philadelphia to get them made into dollars, with which dollars she would get gold dollars dispatched to her. Very venturesome would be those who should recommend the United States of America to undertake single-handed what France will undertake only triple-handed."

Some Western Republicans — as in the Minneapolis platform — "favor the use of both gold and silver to the extent to which they can be maintained in circulation at parity in purchasing and debt-paying power."

That parity policy as to silver dollars, to be accomplished by Treasury purchasing of silver and coining dollars, was repudiated and abandoned when the Sherman Law was repealed. I distrust any such scheme by which Congressmen are to decide how many silver dollars can, through Treasury redemption, be kept at parity with our gold dollars. Something like it was tried by the "Sherman Law." One disaster like that of 1893 is enough. Until international bimetallism shall have come, making possible money, on a universal mint ratio, all the silver and gold in the world, the quantity of which legislators can not increase or diminish, I prefer no more fifty-cent silver coinage for us. Our Director of the Mint has told us there are now nearly $3,436,000,000, estimated in our dollars, of full legal-tender silver. Of that the United States have over $423,250,000 and nearly $77,000,000 of limited legal-tender silver. We can get along without more. We have a larger stock than France. Europe has now nearly $870,000,000 of full legal-tender silver coins.

The Republican leaders and platforms do not, so far as I have read their utterances, deal candidly with our gold dollar unit of value prescribed in 1873. What is the standard? Secretary Manning described it in his special report to the House on March 2, 1886, when he said:

The Revised Statutes and Statutes at Large direct the issue, and prescribe the uses, more or less limited, of several kinds of currency. To but one do they assign the office of a standard. To but one dollar do they assign the function of a "unit of value." The function of the gold dollar as the unit of value is, therefore, unqualified and unquestionable. Its measure is made the only measure. To that measure every other dollar must conform while all dollars exist and this law of Congress stands.

Every full legal-tender coined silver dollar should conform intrinsically to that gold standard dollar. No other silver dollar should be hereafter coined. The Sherman Law repeal intended that.

If we stand as we are, coin no more silver, and issue no more Government full legal-tender paper currency, we can be reasonably safe, perhaps, despite the terrible load of the Greenback Reissue Law of 1878, but we can not be safe under the Sherman-McKinley-Allison theory of the gold standard and more fifty-cent silver dollars.

The Treasury can manage perpetual redemption in gold of our present $336,000,000 of silver certificates, but the addition of nearly half a million more of greenback debt to be paid, and then reissued to be paid again, makes a perilous mass.

I wish the greenback debt could all be paid, and gradually, surely, safely exterminated, and then that nothing else than the gold embodiment of our unit of value and its multiples be a full legal tender.

Above all must we begin, and begin now, to bruise McKinleyism wherever it shows its head, whether in coinage, the silver standard, currency, taxation or tariff.

Truly yours,

PERRY BELMONT.

JOHN H. VAIL, Esq.,
Islip, L. I.

THE FINANCIAL SITUATION DEFINED.

Speaking at a dinner of the New York Democratic Club, April 28, 1896, Mr. Belmont said:

It is not, Mr. President, a very festive text for after-dinner use you have assigned to me, but the aim of our club is by hard work to promote Democratic principles and achieve Democratic victories. You are quite right to begin the work before the conventions have been held and the noise of a canvass is in our ears. It is by quiet debate, discussion and exchange of views among ourselves — I had almost said it is only by preliminary consultation among Democrats in each locality — that sound and convincing Democratic issues can be framed.

To only one topic do you invite my attention, and that is the money issue. That issue is to be, as I infer you think, the most important of the national issues that will be before us during the coming campaign, and should have precedence as a national issue over everything else. It is a dry and perplexing subject, but it vitally concerns our national, our individual and our party prosperity, and, therefore, we are bound, as Democrats, to study it, understand it, form and express definite opinions in regard to it.

GOLD FOR WAGE-EARNERS.

Of all the people and wealth of our country the portion receiving salaries and wages will suffer most by a departure from the standard gold unit of value and the resulting fluctuations in our currency. The sum paid for salaries and wages in our country the last census year was $2,283,250,000. It was distributed thus:

Salaries to officers, firm members and clerks	$391,988,208
Wages of skilled and unskilled operatives	1,590,516,997
Wages to piece workers	300,711,324
	$2,283,215,529

How can any possible McKinley tariff pretend to give remuneration to salary-earners and wage-earners for the loss to be inflicted on them by an inferior McKinley dollar?

It is that gigantic sum paid to labor which is assailed by the cheaper dollar. With that cheaper dollar those who are, on the coinage question, enemies of Cleveland, seek to pay our greenback debt, our bonded debt, and, indeed, all private debts contracted in gold dollars, but if a President and Congress be chosen next November to do that, whose imagination is capable of estimating the loss to our workingmen and working-women? After they shall have once been paid in fifty-cent dollars, when will their wages be raised again to the gold-dollar standard?

Diminishing the gold value of any full legal tender of ours may increase the nominal price of what the producers sell, but latest of all, if ever, will it increase wages. Every wage-earner, every man, woman or child who has $500, or $100, or even $10, in a savings bank should be entitled to demand and receive dollars of the gold unit of value. Congress should not put off those creditors with a token dollar of silver or paper on the plea that the creditor can, by going to the Treasury, and after inconvenience, get therefor a gold dollar. Congress should not use the legal-tender power to force bad money on an unwilling people. The Treasury may be unable to redeem in gold dollars the token fifty-cent dollars forced on the wage-earners. The workingmen and women are entitled, if they require it, to have directly from their employers and debtors what is sometimes called "the money of final redemption," which is the gold unit of value.

Soon or late, and probably very soon, our workingmen will put to both parties this question, "Do you intend to refuse to us the best dollar there is, which is the gold dollar, and compel us by legal-tender laws to take for our labor an inferior dollar?"

JACKSON DEMOCRACY.

In the endeavor to ascertain a remedy for our monetary evils, let us first inquire what were the conditions of our coinage and currency in the days before the coming Civil War cast its shadow across our national pathway. Not an internal revenue tax had been laid for twenty years. The Government money was entirely of gold and silver. The United States had not then and never had legal-tender paper dollars. The Treasury had nothing to do with banks. Even during the War of 1812 with England, and 1846 with Mexico, the country never had, because the Democratic party would not tolerate it, any legal-tender dollars, excepting of silver and gold. Those were the days of real Democracy. How different are present conditions! Each and every one of our present business perplexities and troubles may be traced, not so much to the tariff, as to bad money, bad currency, put on the country by the Republicans. The

causes were and are now full legal-tender greenback debt, the Greenback Reissue Law of 1878, the refusal to exterminate the greenbacks as soon as the war of secession came to an end, and to immediately resume specie payments by free bimetallic coinage conforming to a gold-standard dollar unit of twenty-five and eight-tenths grains. The Republicans may squirm and twist under the pressure of the historical facts, but escape from responsibility is impossible.

Before 1878 a silver dollar of ours not intrinsically as good as a gold dollar of ours had never been heard of in the United States. The sound Democratic policy of forty years ago was this: No full legal-tender Government dollars, except those of silver and gold; open mints for both metals; freedom for every one to take to the mints silver bullion, or gold bullion, or any article of silver or gold and get it coined into money. Congress could not limit or vary, as now, the number of silver dollars. It merely regulated the weight, fineness and denominations of the coins.

REPUBLICAN FINANCING.

The blundering steps by which the leaders of the Republican party put the country into the condition which demanded in 1893 the repeal of the "Sherman Law" were these:

By the subsidiary silver coinage of 1853, silver dollars were not touched, but the weight of the silver half dollars was, in order to keep them in the country, reduced from two hundred and six and a quarter to one hundred and ninety-six grains, and proportionately for quarters and dimes. In that year the silver in a silver dollar was worth $1.04 in gold. After the coinage of all silver dollars had been stopped in 1873, the then-existing silver dollars remained full legal tenders; and all minor silver coins were legal tender only up to $5, as they had been for twenty years. In 1878 came a reaction against the gold standard of 1873 and the coinage of silver dollars was restored under the lead of Sherman, McKinley and Allison, but only for the Treasury could they be coined and not for individuals, as had been done from 1792 to 1873.

MCKINLEY MONEY.

Details are interesting in regard to that law of 1878.

Tilden had been fraudulently counted out, and Hayes fraudulently counted in, early in the previous year, and the Democracy deprived of its chosen leader in the White House. Had Tilden then been President, what sane man doubts to-day, be he Democrat or Republican, that we would have long since had a sound system of currency in this country? But Mr. Sherman was, after the Louisiana visit, placed by President

Hayes at the head of the Treasury, and in his first annual report he recommended a restoration of coinage of the very silver dollars he had four years before labored to suppress. That brought on "the battle of the standards."

During the next October, Congress met in extra session, and a month later Mr. Bland carried through the House, by a vote of 167 to 34, a bill to open again our mints to silver.

Mr. McKinley entered Congress in that session and voted for the bill. The Sherman "Autobiography" intimates that the author told Senator Allison how to amend the Bland bill when it came to the Senate. It was amended and passed by Congress.

President Hayes sent to Congress a very inadequate veto, and by Mr. McKinley's aid the bill became a law over the head of the President. The theory of the measure was the same as that of the subsequent Sherman Law of 1890, which was the buying of silver bullion by the Treasury and coining for Treasury account a limited quantity of full legal-tender silver dollars. Mr. Sherman says, in his "Autobiography:" "I did not agree with the President in his veto of the bill."

If you will keep that incident in mind you will have no difficulty in getting a clear insight into the recent McKinley Ohio platform.

HARRISON MONEY.

With the Fifty-first Congress was elected President Harrison, who immediately began to flirt with silver. You will recall the Republican National platform of 1888, which declared that "the Republican party condemns the policy of the Democratic administration in its efforts to demonetize silver." Cleveland's administration was referred to. It had only endeavored to stop silver purchasing. If it then had been done the panic of 1893 would have been avoided. President Harrison recommended to Congress Secretary Windom's scheme to double the Treasury purchases of silver bullion in order to buy the entire American product, which was a bribe to silver miners to vote the Republican ticket. Senator Morrill, of Vermont, presented in the Senate the administration scheme, but while it was pending the House passed a similar measure. Both Houses, bear it in mind, were Republican. The Senate discussed the House bill as a substitute until June 17, 1890, when a free coinage bill was accepted instead by a vote of 43 to 24. The House refused to concur, and there was a conference committee, of which Mr. Sherman was a member, out of which emerged the "Sherman Law," which a year later Mr. Sherman declared at Columbus, Ohio, to be a "conservative Republican measure." Conservative! Think of that! McKinley and Allison earnestly worked for the measure. Mr. Sherman, in his "Autobiog-

raphy," justifies this makeshift because, as he says, "The silence of President Harrison on that matter gave rise to an apprehension that if a free coinage bill should pass both Houses he would not feel at liberty to veto it." In the year when the Sherman Law was enacted the average price of the silver in a dollar was eighty-one cents, now it is about fifty. The annual shrinkage in value of Treasury silver purchases has been over $10,000,000. Such has been Republican financing, and in it we discern Sherman, Allison, McKinley and Harrison "tarred with the same brush."

I do not need to recall to you the terrible consequences of the Sherman Law. You remember them too well. It added some $160,000,000 of greenback debt perpetually redeemable at the Treasury in gold. It purchased one hundred and sixty-nine million ounces, I know not how many tons, of useless silver bullion. It increased by more than forty millions our fifty-cent silver dollars. Suddenly, as in a night, the country lost confidence in the ability of the Treasury to keep our coined silver dollars, our silver certificate dollars and our greenback dollars on a parity with our gold dollars, and the terribly destructive devastating and relentless panic of 1893 came. Congress was compelled to repeal the silver-purchasing clause of the Sherman Law, stop the emission of any more silver dollars, abandon the Sherman scheme for more silver dollars and go back to the Coinage Law of 1873.

REPUBLICAN PLATFORMS.

The unrepealed sections of the Sherman Law do require the Treasury to coin from the mass of purchased bullion as many silver dollars "as may be necessary to provide for the redemption" of any Treasury notes issued in payment for the bullion, but no one will prefer fifty-cent silver dollars for his Treasury notes if he can get gold dollars, as he now can, so that in reality the existing law does not call for the coining, under existing conditions, of more silver dollars, but yet the McKinley-Allison platforms — if they definitely declare or affirm anything — declare and affirm a Republican contention for the coining of more silver dollars in violation of the policy of the repeal of the Sherman Law. Of course, the existing silver dollars, numbering four hundred and twenty-three and a quarter millions, are to be used, but the McKinley-Allison platforms refer to new silver dollars of the future.

Nobody can deny that in 1873 the only coinage law left standing intended to make gold the sole future metallic full legal-tender money of the country. The language of the McKinley and Allison platforms tampers again, as, in 1878 and 1890, those Republicans did with the

Gold-Standard Law of 1873, by promising more silver dollars of full legal-tender power. If silver dollar coins shall be, like subsidiary coins, only a limited legal tender, the case will be different, but future full legal-tender silver dollars should be intrinsically equal to the gold dollar unit of value, or not coined. A full legal-tender silver coin of ours ought not to be so bad as to require payment or redemption. Nobody speaks of paying or redeeming a gold dollar or of the value of the gold in it. Republicans can not escape from this dilemma. Their political integrity is involved. They half promise in their recent Western platforms more fifty-cent silver dollars, issued by hook or crook, under some such redeemability and parity plan as brought on the panic of 1893, and they thus half promise in a sort of furtive way which they hope will allure the "mountain States" and yet not repel New York.

REDEEMABILITY.

The Western Republican leaders endeavor to re-establish a coinage scheme, overthrown by the repeal of the Sherman Law and differing from free silver in degree of badness. Secretary Sherman outlined it nineteen years ago in his Treasury report and labeled it "redeemability," and made the gold dollar unit of value a "standard" merely of redemption.

There are to be other Government dollars, fiat dollars, fiduciary dollars, debt dollars, unexportable dollars, bad dollars — all redeemable in gold dollars. The Treasury is to be a great redemption bank. Gold is to be bought for redemption purposes. Congress is to decide how many of the fiat dollars are to be issued, and the limit within which another panic fear may or may not come that the Treasury can not redeem in gold. Government promises to pay gold dollars are in effect to be stamped on fifty-cent dollar coins as they are now printed on paper dollars. Such is the Western Republican idea of a gold standard.

It is a contrivance for more such panics as that in 1893.

McKinley and Allison platforms repudiate the legal effect of the law of 1873 and of the repeal of the Sherman Law.

THE SUPREME COURT.

The vicious character of the Greenback Reissue Law of 1878 — vicious despite the false interpretation given thereto by the Treasury in order to try to make it meritorious — has in the Senate recently been exposed by Senator Hill in a vigorous speech. He demolished the false pretenses of Republicans that the Treasury could, under the law of 1878, hide away and not reissue the greenbacks bought and redeemed by such a sacrifice

as an annual hundred millions of new bonds. Those Republican false pretexts have been, and are, that the mandate in the law which reads, "shall be reissued, and paid out again, and kept in circulation," does not specify a time when that shall be done, and, therefore, the Treasury can hold the redeemed greenbacks a year, or five years. The law was enacted to prevent contraction of the volume of outstanding greenbacks. It was intended to prevent a greenback, if any dollar could be paid out, from stopping in the Treasury an hour after redemption. If there were gold dollars, gold certificate dollars, silver dollars, silver certificate dollars, greenback dollars, to be paid out, the greenbacks must first depart. Those who have endeavored to defend the redemption business, and its colossal cost, have endeavored to put it about that Secretary Carlisle could have furtively withheld redeemed greenbacks from immediate reissue.

One of the hurtful consequences of the Greenback Law of 1878 has been that a Republican Supreme Court challenged to uphold it eighteen years after the Civil War ended, and unable to do so under the "war power," boldly proclaimed in 1883, in Juilliard's case, only Justice Field dissenting, "that the restraint of the Constitution against a law impairing the obligations of contracts does not apply to Congress, but only to a State, and the legal-tender power is not divided or restricted by the fact that its exercise may affect the value of private contracts." As if that were not enough, the Republican court added, "Congress may have the power of coining money and regulating its value, and issue coins of the same denominations as those already current by law, but of less intrinsic value than those, by reason of containing a less weight of the precious metal and thereby enable debtors to discharge their debts by the payment of coins of the less real value."

The only way now practicable by which the country can repudiate that monstrous doctrine is for the voters to elect and re-elect a Congress and President that will repeal all laws tolerating it, and refuse the enactment of similar laws. The effort to fasten on our people full legal-tender silver dollars of (to use the language of the court) "less intrinsic value" than the gold embodiment of the unit of value, is what New York is called upon to condemn by acts and language the meaning of which can not be misunderstood anywhere.

FIAT MONEY AND OUR FARMERS.

I read two or three weeks ago, as perhaps some of you did, in an evening paper of this city, a long report of an interview with Mr. Dobson, a large Republican manufacturer in Philadelphia, setting forth, from a Republican point of view, the use and necessity of McKinleyism as the remedy for present evils, which are chiefly two, as he is reported

to have explained. One that our farmers can now obtain at too cheap a price what they wish to buy, and the other that they are compelled to sell for too little their surplus products. The remedy for each can only be found, as the manufacturer declared, in McKinleyism, which will inflict higher rates of customs taxation, and depart from our gold dollar unit of value.

Mr. Dobson insisted that the "remonetization of silver is necessary to secure the results of protection." Referring to the silver-using countries, he contended that by reason of the gold standard here and the silver standard there, even a restoration of the McKinley tariff could not deprive our farmers of the advantage they now have in buying cheap Japanese silks, floor mattings and cotton goods. He told the interviewer that when fifteen and a half ounces of silver purchased an ounce of gold in Japan, then everywhere the price of Japanese matting, now selling for five and a quarter cents a yard, was twelve and three-eighths.

Perhaps he could have said that in Japan the silver ken, which is the monetary standard, has now as much purchasing power in Japan as it had when the silver therein was worth twice as much in gold. Thus it is that Japan can now undersell, by about one hundred per cent., manufactures in gold standard countries of similar articles.

There is nothing novel in the contention as to any country where it is true that the silver coin does at present buy as much material and labor as where that coin is worth as much again in gold. Secretary Manning referred to it ten years ago in his second annual report, in respect to wheat from India, as a reason why our farmers should vote to stop Treasury silver purchasing as a first step toward international metallism. Mr. Dobson made no mention of longer hours in Japan of labor than in the United States, or of cheaper shelter, food, clothing and luxury, and less of it in Japan for wage-earners.

When Mr. Dobson exploited the problem of lower prices which our farmers get for their wheat, he pointed to Argentina as an illustration, and said: "When the Argentina farmer gets one dollar in silver for a bushel of wheat, the American farmer gets only fifty cents in gold, and the Argentina farmer can buy more with the silver dollar in Buenos Ayres than the American farmer can buy with his fifty-cent dollar of gold in New York."

A similar contention had been made a few days before, in the British House of Commons, in behalf of English wheat, when it was said that the farmer in Argentina could, at home, buy, not twice, but three times as much as could the English farmer.

In the last report of the Director of the United States Mint were printed answers to twenty-two questions put to our Minister at Buenos

Ayres. It appears that no gold had been coined in Argentina since 1889, and no silver since 1883; that no gold or silver is there current; that there are no bank notes; that all paper currency is interconvertible government paper, of which there are three hundred millions, estimated in our dollars, and that the average premium on gold in 1894 was $258.

It is not a question of silver at all as in Japan or in India, but of depreciated paper money. The McKinley remedy for our farmers, according to Mr. Dobson, is for the United States to issue enough full legal-tender greenbacks to banish silver and gold coins, and put the premium on gold higher than it is in Argentina. The more bad and worthless our currency is, the more easily on that theory can our wheat growers compete in London with foreign wheat producers. Thus the barriers of customs rates so high as to be quite exclusive of importations and an unconvertible greenback currency are offered as a remedy for all present industrial evils.

INTERNATIONAL BIMETALLISM.

The Democracy assembled in Chicago in 1892 promised, if its candidates were elected, to repeal the Force bill, the McKinley tariff and the Sherman Law. All that has been done.

The stopping of Treasury purchases, the putting of the Treasury back on the Coinage Law of 1873, which does not, as I have explained, permit the coinage of silver dollars, have, together with the failure of the last International Conference in 1893 to accomplish bimetallism, set on foot a vigorous demand for the immediate opening of the mints to free silver coinage for everybody.

A majority of our voters now realize, it is believed, the truth of Manning's contention that opening our mints to the free coinage of silver, without European co-operation, would stop the use of our mints by owners of gold, put an end to such simultaneous circulation of gold and silver as we now have, send our gold dollars to a premium, siphon out of the Treasury by means of the greenbacks, its relatively small holdings of gold, expel gold from the country and in time bring us to an Asiatic silver basis.

The probable escape from the danger of free silver coinage undertaken solely by ourselves has not yet rid the country and our politics of the peril lurking in the Republican refusal thus far to pledge their party not to enact new laws for the coinage of more fifty-cent dollars on something like the plan of the repudiated Sherman Law.

The Southern and Western advocates for opening immediately our mints to everybody's silver are, unlike the advocates of McKinleyism, frank and candid. They believe that so long as England refuses, no

European government will join the United States in bimetallism. They repudiate another Sherman makeshift. They demand free silver coinage now and refuse to listen longer to pleadings for an international bimetallism not at this moment within the range of practical politics.

What is the present probability of international bimetallism?

The Bland-Allison Law of 1878 compelled the President to invite a conference on bimetallism, which assembled in Paris in that year. Nine nations were represented. Germany did not participate. England peremptorily refused to abandon the gold standard and nothing could be done.

Germany did, however, stop selling silver.

In 1881 the United States and France called another conference at Paris, to which eighteen nations came, but Germany and England rejected bimetallism. President Harrison invited another conference in 1892; twenty nations and fifty delegates met. The American delegates were asked for their plan. They responded by only suggesting a measure to increase the use of silver as money. Bimetallism was debated many days, but never brought to a vote. England, however, declared against it. Germany, France and Austria intimated they would do the same if England held back. The conference adjourned as the others had.

The situation has not been modified by the recent House of Commons debate and vote. Probably all Europe would follow England, but thus far England refuses to lead. Our silver advocates know that. They are not to be deceived. The agitation in England for free silver is, no doubt, very active. Manchester and Lancashire are its seat outside of London, as they were half a century ago of the free-trade movement. Present public opinion regarding silver may as suddenly change in England as it did in 1846 regarding protective duties on imports. Another Prime Minister may be converted as was Robert Peel! But meanwhile the outlook in Europe for the double standard is not good, as advocates of free silver coinage among our fellow-citizens are quite well aware, and hence they boldly push for opening at once our own mints to silver.

New York, driven to the wall, as it were, by the peremptory demand, can not parley, evade or compromise.

A DELUSION AND A SNARE.

There is an interpretation of the phrase "gold standard" put about here and there which, if adopted, will make it a delusion and a snare. The New Hampshire Republican platform is an example. It declared for "the enactment of currency laws that will provide for a circulating medium in gold, silver and paper, always interchangeable at its face value

because each dollar is of the same purchasing power as the gold dollar." "The same purchasing power," — where? Translated into clear language that will read: "New laws providing circulating dollars of gold, silver and paper, always interchangeable at the nominal value." "Circulating dollars" means dollars that circulate — that freely pass from hand to hand. Silver dollars do not and will not. They must be put into silver certificates. The interchanging of silver dollars and paper dollars into gold dollars must be done at the Treasury. If the former shall be issued in excess and if gold dollars shall depart as during the last few years, the Treasury may require, in order to buy back the gold, and do the redeeming, one, two or five hundred millions a year of new government debt — a good condition for bond syndicates.

"Standard" means the criterion of intrinsic value, and by that test our present silver dollars should now be rated as half dollars, which is of course impracticable. If the unrepealed part of the Sherman Law imperatively requires the coining of more silver dollars solely for redeeming Sherman Treasury notes, the coining must be continued until the mandate can be repealed, but the law of 1873 peremptorily forbids such coining for any other purpose. The New Hampshire Republican platform is for those reasons a battery of McKinleyism masked behind "gold standard" pretenses.

THE CHOICE.

In the absence of a reasonable hope of the realization of international bimetallism and thus open mints for silver and gold alike, we are at present confined in the exercise of a choice to these three coinage policies:

First. The law of 1873, now in force because left standing by the repeal of the Sherman Law, which law of 1873 permits no full legal-tender coinage except gold, and gives to silver only a limited legal-tender power.

Second. Free silver coinage by the United States, single-handed and alone.

Third. McKinley-Harrison-Allison platforms, which tolerate a re-enactment of the Sherman device for more fifty-cent-parity-redeemable silver dollars, which device was repudiated by the repeal of the Sherman Law, in November, 1893.

It is not credible that in the predicament in which Western Republican leaders have put our country, we should now favor or tolerate free silver coinage. The remaining alternatives are either a faithful maintenance of the Coinage Law of 1873, left standing by the repeal of the Sherman "makeshift," or a revival of something like it, as Western Republican platforms foreshadow. Ask the average Republicans if they oppose the

coinage of more silver dollars, and you will not get an explicit answer. The best of them will reply: "Oh, I am for the gold standard." But as they interpret the gold standard, it will no more prevent silver-dollar coinage in 1897 than it did in 1890. What New York and the whole country ask is a return to prosperity. No possible change in the tariff will suffice. Everybody knows that confidence at home and abroad, in the character of our coinage and currency, will accomplish it. Our country will not, by inferior dollars, repudiate any part of its public debt. The United States has always paid its creditors every fraction of its indebtedness, and always will, but the present agitation and talk in favor of inferior currency disturb and depress our industries and enterprises. And yet at this moment there is plenty of idle capital in our country and in Europe waiting to again start all the activities and energies of our industrial life. Prosperity will return as it did before the Sherman Law disaster was foreshadowed; but only when there are certainty and confidence that our workingmen can, if they demand it, receive their wages in gold standard dollars and investors be certain that all deferred payments to be made in dollars will be made in gold dollars if demanded. No possible tariff legislation can bring that about.

NOT SEEKING NOMINATION FOR GOVERNOR. GOING ABROAD.

(New York Tribune, May 4, 1896.)

Ex-Congressman Belmont, whose name has been frequently linked of late with the Democratic nomination for Governor, has engaged passage for Europe on the New York, and will sail for Southampton on Wednesday.

Mr. Belmont's sudden decision to go abroad when the slates are being made up for the fall campaign was variously commented on in political circles yesterday. It was certainly a surprise to Democrats, who have regarded Mr. Belmont as Senator Hill's choice for the Governorship nomination and thought that it was Mr. Belmont's intention to enter the lists and make a strong fight for the place. That he should arrange for an extended absence in Europe on the threshold of an important National and State campaign had more than one construction placed upon it. Some of Mr. Belmont's personal and political friends said that he was not seeking the nomination for Governor on the Democratic ticket.

"I do not think it strange," said one of his friends last night, "because Mr. Belmont is not a candidate for any nomination. All this talk about Mr. Belmont having been declared in the race for the nomination for Governor is unauthorized and is absolutely without any foundation. He is very much interested in the future success of his party, and there is no doubt in my mind that he will return home to take part in the coming campaign. His recent sound-money speech before the Democratic Club has had a good effect throughout the State."

EFFECT IN EUROPE OF THE FREE SILVER ISSUE.

(New York Herald, Interview, Paris edition, May 23, 1896.)

In view of the interest taken in the silver question in the United States, as shown by the wide publicity given to the interviews which a Herald correspondent had on the subject with London financiers, and the increasing probability that it will become the issue of the Presidential campaign, I asked Mr. Perry Belmont, who has recently arrived from New York, his views as to the probable effect on European investors in the United States of the electoral contest to be decided next November.

He said he had been asked a similar question in London and had replied that whatever may be the result at home, in the sense of more stable and better currency and banking arrangements, it will be local and would not affect in any manner the payment in gold as heretofore of American National, State and corporate obligations held in Europe.

NO MENACE ABROAD.

"The pending debate over coinage and currency reform is internal," he said, "and should not have external consequences. Those in the South and West who advocate free silver coinage on a ratio of 16 to 1 without European co-operation insist that the gold standard shall and will be preserved. Senator Stewart, the best informed among the advocates of free silver coinage, declared in a Senate debate, on May 7th, that the enactment of free silver coinage will 'lift all the silver in the world to a parity with gold.' His contention was that free open mints, for the coinage of gold and silver alike, will accomplish what open French mints did during the first three-quarters of the present century. Other advocates of free silver said the same.

"Thus you see that even they uphold the present gold standard. There is no reason to think that the Congress to be chosen next November will open our mints to everybody's silver, but even should the wild experiment be attempted the country will, if it works badly, demand

and accomplish its immediate abandonment, as in 1893 the silver-purchasing clause of the disastrous Sherman Law was repealed. In the United States there is, I am quite confident, a determination that all coinage and currency shall conform to the present gold dollar unit of value, which is twenty-five and eight-tenths grains."

HOW THE LAW STANDS NOW.

I asked Mr. Belmont to explain precisely the Coinage Law of the United States left in force after the repeal of the silver-purchasing clause of the Sherman Law.

He replied: "It is the law of 1873, which is similar to the present English law, whereby gold coinage is free, no full legal-tender silver coinage exists, and silver is coined only for the Government and into minor coins of limited legal-tender power. The unrepealed part of the Sherman Law does permit the Treasury to coin out of the present warehoused stock of purchased silver so much as may, by holders of Treasury notes emitted to pay for the silver, be demanded to redeem those notes in silver dollars, but as no one will ask silver when he can as now have gold, no more silver dollar coinage will be needed."

"What then is the coinage issue?" I asked.

Mr. Belmont answered: "The soundest money advocates insist that coinage stand as it is, till possibly international free coinage of gold and silver alike can be had, and till then there should be no more full legal-tender silver-dollar coinage. A relatively small party, chiefly in the Southern and in the silver-producing States of the West, noisily demand free silver coinage without awaiting international co-operation. The chief impelling force of that party is the silver producers, who wish to increase the price of silver above the present price of sixty-eight cents an ounce. Between those two demands are those who, for electoral purposes, try to 'straddle' between gold monometallism and what they fear may be silver monometallism, by professing to favor a larger use of silver, in some unexplained way, consistent with a gold standard.

MR. MCKINLEY FOR A "STRADDLE."

"Mr. McKinley represents that 'straddle,' and so does Senator Sherman, who, strangely enough, speaks of the present English coinage plan as 'bimetallism.' The soundest money advocates think the attitude of Mr. McKinley and Mr. Sherman means, and may lead to another disastrous Sherman law.

"If both the great parties shall decide in their National conventions that they will faithfully stand by the existing Coinage Law till a possible international bimetallism shall have led the way to an international bimetallic par, the new Congress can then calmly consider the endless chain of costly greenback redemption in gold which now afflicts the country, and can also perfect a good system of bank notes."

SILVER IN AMERICA.

(New York Herald, Paris edition, June 10, 1896.)

To the Editor of the Herald:

Will you kindly correct the misprint in the sentence of my interview of last Saturday, "it is the law of 1893," etc. (which now controls coinage in the United States). The year should be 1873 not 1893. I would not trouble you to make the correction did I not know that several persons have been misled.

Every item of news regarding the coinage contest brought by the cable from the United States tends to show the improbability that either of the two great parties will advocate the free coinage of silver on any ratio. During the last twenty-three years the law has not permitted such free silver coinage. The Bland-Allison Law of 1878 and the Sherman Law of 1893 only permitted a limited quantity of silver to be purchased by the Treasury and coined into silver dollars. Neither gave free coinage to silver nor established bimetallism, although both laws imparted a full legal-tender power to the silver coined. That Treasury silver purchasing was stopped in 1893 by the repeal of the disastrous Bland-Allison Law of 1878 and the still more harmful Sherman Law of 1890. Our coinage was made as monometallic, upon a gold standard, as is the English, inasmuch as all the silver coined now permitted by the law of 1873 is subsidiary silver, not full legal tender.

I am confident there is no probability that the next Congress will so modify the present Coinage Law of 1873 as to permit free silver coinage at any ratio.

It is fair to say that the prevalent feeling in the United States is that the Republican party's success, as represented by McKinleyism, is dependent upon the effort to conciliate those Republican voters classed as "silverites" and at the same time to retain those classed as gold-standard advocates. The result may be the nomination of McKinley, a silver man, on a gold platform, more or less sound.

There is very little danger that free silver coinage can be established, but if the Republicans can win in November there will be fear of another Sherman Law. Even if that should come, gold payments will nevertheless be maintained, but the gold for redemption would be dearly bought.

The United States have since 1878 coined some four hundred and twenty-three and a quarter million of silver dollars, and have been able to keep, in our country, sixteen of those silver dollars at parity with one of gold. That preservation by legislation of $423,000,000 of new fifty-cent silver dollars on a parity in our country with gold has led many to imagine that one or two or five hundred millions more can in like manner be kept at parity. Just there is what has been called the Sherman-McKinley-Allison-Harrison "straddle." In language more or less vague they assent to the gold standard but do not explictly condemn the coinage of more silver. The motive is to attract the votes of the Western silver men.

However that may be, there is no reason for an atom of fear that our indebtedness held abroad will not, as now, be paid in gold. Cost what it may the United States will keep all their dollars at a parity with gold, in our own country. Even if we should be obliged to face the misfortune of McKinleyism it will be costly work to maintain parity, but it will nevertheless be done.

PERRY BELMONT.

PARIS, *May* 27, 1896.

CUBA AND THE UNITED STATES.

ARTICLE IN THE PARIS TEMPS, JUNE 15, 1896.

(New York Sun, June 19, 1896.)

Paris, June 18.— The following article, published by Perry Belmont in the Paris Temps, the principal diplomatic organ of Europe, is having an excellent effect in correcting false and unfavorable impressions on the Continent concerning the attitude of the United States Government:

The recent judgment of the Supreme Court of the United States in the "Horsa" filibuster case interpreting the Penal Law of 1818, punishing military expeditions against foreign governments with whom the United States is on terms of peace and good neighborhood, is very important. It explains and defines the distinction in that law between mere shipments of munitions of war *animo commercandi* and military "enterprises," *animo adjuvandi*. It will enable the President to know more definitely the description of enterprises in aid of the Cuban insurrectionists with which he can order interference, without making the officials who interfere liable in pecuniary damages on suits at law begun by those concerned in such enterprises. That has heretofore been an embarrassment for the President.

The revolt in Cuba is, I think, generally regarded in the United States as a desperate struggle for the political possession and control of the island. However great a source of trouble to the United States that struggle may be, the loyalty of its Government to the prescriptions of international law, treaty obligations and good neighborhood was significantly attested by the Queen Regent of Spain in her address to the Cortes, very recently. The words of the address were as follows:

"Despite the powerful efforts of a certain portion of the American people to thwart the action of my Government, the President and the Government of the United States have maintained the friendly relations which have not ceased to exist between the two countries since the foundation of that Republic."

The distinction and the reasons therefor, here made between a certain opinion in the United States and the Executive, will, I am sure, be obvious in France after a little explanation and a moment's reflection. The Ameri-

can people feel that the system and method of colonial government, now enforced in Cuba, from Madrid are antiquated, unsuitable and should be obsolete. That is an opinion more or less strong, such as Americans or Frenchmen may innocently entertain in regard to objectionable forms of foreign government. The Government at Madrid concedes the justice of the criticism. It was maturing reforms when the recent revolt began. It seems willing to establish the reforms in Cuba as soon as the condition of the island will make the reforms feasible.

The people of the United States are by inheritance, education and conviction devoted to "Home Rule." They would rejoice to see America all American, but as that can not be at present, they wish the island of Cuba might be self-governing and orderly. Notwithstanding such earnest and sincere predispositions of opinion in respect to an island at its door, the Government of the United States has maintained scrupulous abstinence and nonintervention in the pending conflict, excepting when the treaty rights of its own citizens have been invaded. The insurgents are conducting a formidable guerilla war in this land, which more than one hundred thousand Spanish soldiers have not suppressed, but as the insurgents have not an accessible seat of Government, the possession of any ports, the presence of a flag on the ocean, or in American ports, the President of the United States refuses to recognize a new belligerent State in Cuba and deny the supremacy of Spain in Cuba.

How happens it, then, you ask me, that there seems so much heat and excited speaking and writing in the United States about Cuba. There are large colonies of Cuban emigrants in Florida (almost as near Cuba as Calais is to Dover), in New York and all along the Atlantic. They would at Madrid be described as Spaniards, but they detest Spanish rule in Cuba and conspire for its overthrow. So long as they respect the asylum they enjoy and its laws, they are free to say and do what they please, even to severely criticise the officials of the nation that affords an asylum to them. In Florida and in other places there are also Cubans naturalized who are voters, and whose influence is appreciable.

But beyond all this is the transportation from the United States to Cuba of munitions of war, and individual Cubans, in aid of the insurrection. The perplexities arising out of that may not be, just now, fully recognized in France.

All nations now agree that, as a rule of law, presence of revolt in a foreign State does not interfere against the manufacture and sale to anybody of munitions of war by the neighboring State *animo commercandi*. The United States are not bound to prevent the sale and transportation to the Cubans of such munitions, or to prevent unenlisted and unrecruited individuals from going to Cuba. What the American laws do prevent

and punish is the beginning of a military "enterprise" or "expedition." It is difficult for the United States to perfectly police its three thousand miles of Atlantic sea coast against those furtively exporting to Cuba in little vessels not regularly clearing for an open Cuban port, as it is for Spain to police its entire Cuban coast against the smugglers.

The recent case of the "Competitor," a small schooner, caught within Cuban waters, attempting to land a cargo of munitions of war bought in the United States for use of the insurgents and shipped furtively from the Florida coast is an illustration. Public law did not require the United States to prevent that shipment, unless it rose to the dignity of a military "expedition." It seems to have been only a shipment on a small commercial vessel of a commercial cargo. The schooner could not defend itself or its cargo against capture. The distinction in public law between *animo commercandi* and *animo adjuvandi* may be narrow, but it exists. Diplomatists, publicists and magistrates must recognize and apply it. Spain had a right to arrest, in her jurisdictional waters, her cargo and all individuals on board, if the landing was condemned by her laws and the individuals were guilty of a crime, but the United States could not punish the men criminally. The only offense they had committed against the law of the United States was embarking with a commercial cargo without a formal custom-house clearance. The cargo was innocent under public law as to the United States, although not as to Cuba and Spain. The men seem undoubtely guilty of attempting a landing of the cargo on the Cuban coast. They were arrested, arraigned before a naval court-martial, very summarily tried, found guilty and it is said a sentence of death imposed. The sentence has not been executed.

The interposition of President Cleveland in favor of such of the accused as are Americans was on two grounds. One that the accused were not tried in accordance with the ameliorations of the treaty of 1795 conceded by Spain to the United States in 1877. The other was that, if guilty of smuggling munitions of war, death is too severe a sentence. The first is a question of treaty interpretation and the second is an appeal to the mercy of Spain. A great many will think death too harsh a punishment.

I will not discuss the legal questions. Spain may claim that the accused when arrested were not legally "residing" in Cuban jurisdiction, but were arriving persons. If the guilt is clear, it must be of little consequence to Spain, whether it tries the men by its civil "ordinary jurisdiction" or by an exceptional military or naval tribunal. The death sentence is the critical part.

PERRY BELMONT.

THE REPUBLICAN PLATFORM ADOPTED AT ST. LOUIS.

(New York Sun, Paris interview, June 21, 1896.)

PARIS, *June* 21.— In the course of an interview to-day with a representative of the United Press, Mr. Perry Belmont made the following remarks, regarding the gold plank adopted by the St. Louis Republican Convention.

"If the Republican platform at St. Louis is interpreted by McKinley and the Republican party as a mandate to obey the Coinage Law of 1873 and coin no more silver dollars until international free bimetallic coinage on a fixed ratio may have come, and if it is intended to resolutely enforce the mandate by diplomacy and legislation and accomplish international bimetallism the work done at St. Louis will be beneficial, but the contrary will happen if the platform is interpreted as permitting or encouraging the renewal of Treasury silver purchasing and the coinage on Government account of more fifty-cent silver dollars on the theory of the repudiated Sherman Law of 1890.

LEGISLATION OF 1875.

"It is true," Mr. Belmont added, "that Congress, led by Senator Sherman, did in 1875 make, as the platform declares, a law providing for resumption of specie payment, and since then every dollar has been as good as gold. But it is also true that the underlying theory of that law was payment in gold dollars and the extinction in 1879 of all the greenback debt. Mr. Sherman, who was then Secretary of the Treasury, promoted the enactment of the Greenback Reissue Law, which not only stopped the extermination of greenbacks at $346,000,000 — the present quantity outstanding — but compelled their perpetual reissue. It is the redemption thereof that is a potent cause of our present monetary disorders.

"Worse even than the Greenback Reissue Law of 1878, was the Sherman Law of 1890, which was repealed three years after, and which not only collected in the Treasury a useless mass of silver bullion, but emitted $150,000,000 in Treasury notes also perpetually redeemable in gold. Recently, owing to the disastrous currency panic caused by that Sherman Law, the income of the Government has been much less than its

expenditure and comparatively little of that insufficient income has been received in gold. Consequently, gold for redemption purposes has been purchased with new bonds and the gold paid from the Treasury in redeeming greenbacks has speedily gone to Europe.

CONTINUAL DRAIN OF GOLD.

"From 1879, when specie resumption began and down to the enactment of the Sherman makeshift in 1890 only, as I remember figures, some $39,000,000 in greenbacks in eleven and a half years had been presented to the Treasury for redemption in gold and since the Sherman Law was enacted over $280,000,000 in greenbacks and $76,000,000 in Sherman Treasury notes have been presented and redeemed in gold. Over $426,000,000 of our gold have been exported to Europe. Even a country so rich in natural resources as ours, so removed from European war disturbances, so powerful in industry and the vigor of its seventy millions of people can not safely endure such a continual drain, but the Republican Convention adjourned without even suggesting an adequate remedy.

"To proclaim the maintenance of the gold standard, to demand McKinley tariff is no remedy especially when no methods are specified whereby the needed gold can be secured in some other way than by renewed bond selling.

"The plea for the Sherman Law of 1890 was also the maintenance of the gold standard. Nevertheless and despite Republican evasion you may depend upon it," said Mr. Belmont, "that cost what it may the people of our country will insist that all antecedent indebtedness, National, State and municipal, shall be paid, if demanded, in the gold dollars specified or implied in contracts. No railway or other corporation will by any law be released from such obligations."

THE ISSUES TO BE DECIDED AT CHICAGO.

(New York Times, Paris interview, June 27, 1896.)

PARIS, *June* 26.— A representative of the United Press had an interview with Perry Belmont at the railway station to-night just as Mr. Belmont was starting for Havre on his way to Chicago to attend the National Democratic Convention.

The full text of the Democratic platform adopted at the New York State Convention, in Saratoga, had not yet been received here, and, therefore, Mr. Belmont said he did not know its precise scope. If,

however, as he believed, the New York Democracy protested against any further purchase of silver by the Treasury and against silver coinage otherwise than on the basis of an international agreement, and that the Democracy should do everything possible to obtain and secure a fixed international ratio between the two metals, and demanded the cancellation of greenbacks and Treasury notes hereafter presented to the Treasury and paid in gold, Mr. Belmont was confident the platform would command the approbation of an overwhelming majority of the voters in every Eastern State.

Mr. Belmont said he had known quite well during his years in Congress, a great many of the Southern Democrats who were pressing for the immediate free coinage of silver at the ratio of 16 to 1, and also had met them four years ago at Chicago, when they contributed to the nomination of Mr. Cleveland. Mr. Belmont did not believe those Southern Democrats now wished or would tolerate disunion at Chicago of the National Democracy.

"The State of New York," said Mr. Belmont, "is now committed by both of its party organizations to international bimetallism and a world-wide bimetallic par. Democratic leaders such as Tilden and Manning have favored it in the past, and the Southern Democracy also. The Governor of the Bank of France told me a few days ago that France can not and will not consent to a ratio of 16 to 1. France prefers 15½ to 1.

"If the National Democracy will, at Chicago, remain united, McKinleyism can be crushed in November, and a fixed international ratio for silver and gold put within range of practical effort. Another McKinley tariff can be prevented, the issue of more Government bonds made unnecessary, the national credit upheld, our exports increased, and the wages of workingmen, North and South, not be reduced to a fifty-cent dollar.

"It can but be that rather than have disunion in the National Democracy, as in 1860, the Southern Democrats, with whom New York cooperated in the election of Mr. Cleveland in 1892, will consent to a reasonable plan whereby free-silver coinage may be deferred until a practical effort shall have been made by a Democratic President and a Democratic Congress to obtain a fixed international bimetallic ratio."

INTERNATIONAL BIMETALLISM.

(New York Herald, July 6, 1896.)

Perry Belmont, who arrived here from abroad on Saturday night, left for Chicago at one o'clock yesterday to take his seat in the Democratic National Convention as a delegate from the First New York Congressional District.

Mr. Belmont said, before leaving, that one reason for his trip abroad at this time was to hear for himself what Government officials and business men in Europe were saying about our political and financial affairs, and particularly what their views were on the silver question and international bimetallism.

"I have been," said Mr. Belmont, "somewhat surprised at the accuracy of the information which European experts in finance have of the details of our currency difficulties and of the composition of parties in the Senate. Such knowledge was to be expected of bankers, merchants and investors in our securities, but it is shared by the European scientific writers on money and by the editors of some of the leading French journals.

"That was a striking phrase used by Lord Dufferin, in Paris, the other evening. 'Thanks to the telegraph,' Lord Dufferin was reported to have said, 'the globe itself has become a mere bundle of nerves, and the slightest disturbance at any one point of the system sends a portentious tremor through its morbidly sensitive surface.' He referred to diplomacy, but it is certainly true of financial and trade matters; in those particular relations nations are no longer independent, but interdependent. International rivalries in manufactures, production, transportation, exporting and importing are quite as acute as those of political diplomacy. All Europe and Asia are now our relentless rivals in the former, and, therefore, what Europe sees of our power will increase the rivalry.

INTERNATIONAL BIMETALLISM.

"As to international bimetallism, the commercial and business world of England remains in great part opposed to it, while the scientific experts take a more favorable view. One said to me that so long as Mr. Glad-

stone, Lord Farrer, Mr. Giffin and the London Times hold their present sway in this matter the outlook for bimetallism was gloomy. Many opponents feared that if the United States went to free silver coinage American debts would be scaled down one-half, which would drive the British Government to consent to bimetallism. That is, of course, superficial and fanciful. What now worries British farmers is the importation of cheap cereals and meats. What vexes British manufacturers is impeded access to our markets, and what disturbs investors is the threatening disorders in our currency.

"Of course we can not undertake to conduct our foreign and domestic affairs only in order to satisfy London and Europe in general. Such a condition would be more than unpleasant and offensive. It concerns not only our Government at Washington, but corporate and individual borrowers as well, who are more or less affected by our Government currency disorder. Our Government would be entirely independent of such considerations if it did not need to sell bonds, and but for the necessity of redeeming greenbacks it need not offer any more bonds for sale.

"In Paris, among others, I met by appointment Mr. Meline, the present Prime Minister of France, who is an earnest and influential international bimetallist. I also met the editors of the powerful journals of Paris — the Temps and the Figaro. The former, Mr. Hebrard, is a Senator and is much interested in American political questions. A long interview with Mr. Magnin, the Governor of the Bank of France, a follower of Cernuschi, and, therefore, an international bimetallist by conviction, was very instructive. He said, among other things, that curiously enough in France industry and commerce are partisans of bimetallism and scientific experts are more inclined to the single gold standard, while in England it is exactly the reverse. France continues, in a measure, bimetallic, because the Bank of France, when its notes are presented and coin demanded, pays gold or silver at its option. Our Treasury at Washington permits the creditor presenting Government paper to choose whether he will have gold or silver. There is now no more silver coining in France, and will not be under existing international conditions. On June 11, 1896, the Bank of France held in gold 2,023,088,943 francs, in silver, 1,255,180,360 francs, and had outstanding 3,568,496,130 francs, in its own notes.

MAGNIN ON OUR WEAKNESS.

"Mr. Magnin was sure France would not consent to an international ratio of 16 to 1, which would compel a recoinage of all its silver at a loss of three per cent., whereas the United States could, at fifteen and one-half, recoin its silver stock and gain three per cent. He looked upon

our perpetual greenback redemption in gold as the very weak and critical spot in our monetary condition, and felt that no nation is rich enough to safely endure such a strain.

"The opinion of international bimetallists in Paris seemed to me to be that our Government should formulate a definite plan and by diplomatic and other expedient action present it to European governments. More international conferences for discussion before we had presented such a plan would be useless. An enactment by our Congress of free bimetallic coinage in advance of international action is deprecated by our best friends in Europe.

"I was embarrassed by this question so frequently put to me in Paris, 'why did not the St. Louis Republican Convention present a feasible plan to stop buying gold at such ruinous cost to redeem the endlessly reissued greenbacks?' I could not find an answer. 'Why,' I was asked, 'did not the dominant Republicans at St. Louis demand that United States notes and Treasury Sherman notes, if presented for gold redemption, be redeemed and canceled?' My own opinion is that among currency experts in France the contrivance we call 'endless chain' is considered more prejudicial to the financial observation, intelligence and resources of our public men than any other feature of our monetary condition, and all Europeans are bewildered by our refusal to cancel greenbacks after their redemption in gold.

"I should say that what most impresses Europeans is our difficulty in getting and keeping enough Treasury gold to redeem on demand our paper currency of all kinds, nor will the difficulty disappear even if our Federal taxation shall yield a surplus over expenditures. They clearly see what a small percentage of our taxation is paid in gold, that to make gold sufficiently abundant and stop its departure for Europe our exports must largely exceed our imports. To diminish imports according to the McKinley theory will diminish revenue. Of course, Englishmen with the exception of the Bimetallic League and its followers, now think an ideal currency is theirs, consisting of free gold coinage accompanied only by subsidiary silver coins supplied by the Government and bank notes for all other purposes. The Governors of the Bank of France, as I have already said, well known as international bimetallists, told me that the French monetary system of free gold coinage, no more silver coinage for the present and plenty of Bank of France notes, redeemable in gold or silver at the option of the bank, is excellent and satisfies every one.

THE FINANCIAL DEADLOCK.

"What foreigners can not understand is why our Government reissues, like a bank, its greenback debt after having once paid it in gold. They

discern clearly, that, unless one or the other of the great parties persuades to reason the Populists and 16 to 1 silverites in our Senate, the existing deadlock will continue, whoever may be President. Certainly McKinley, if elected, could not obtain the tariff revenue or other necessary legislation if the Senators at St. Louis resist the legislation, unless the Democratic party should come to the rescue. Otherwise the new administration, whether Democrats or Republicans, must follow the undesirable course of issuing bonds as the present has done.

"We must, therefore, come to some agreement preserving our gold standard dollar in debt payments, and rid ourselves of the greenback and Sherman note reissue after redemption in gold, or the Treasury will be again and repeatedly on the market with bonds for sale, for the American people will never for an instant admit of the repudiation of national obligations to pay in gold all Federal debts, whether the debts be bonds or greenbacks or Treasury notes.

"The Republican Convention at St. Louis having failed to break the deadlock in the Senate, it remains for the Democratic party to do it. In accomplishing this result it must be borne in mind that the country in 1896 is suffering from the panic of 1893, which was caused remotely by Republicans. The greenback and silver legislation of 1878 and the infidelity of Secretary Sherman to the Specie Resumption Law, approximately and actually caused the panic of 1893, which was caused by the Sherman Law of 1890.

"It seems to me that the creating (through no fault of the administration) of nearly $300,000,000 of new Government debt in order to redeem our paper dollars has done much to divide the Democracy, and that an effort should be made at Chicago to reunite the party on a plan to prevent that necessity in the future, whoever may be President after next March.

"The necessity was an inherited one. President Cleveland did not create or promote it. The necessity came of the Greenback Reissue Laws of 1878 and the emission under the Sherman Law of some one hundred and fifty millions of new Treasury notes, to be redeemed in gold, and representing the gold price paid for purchased silver bullion. It was unnecessary to treat the Government greenback debt like a bank note and reissue it after it had been paid in gold. The greenbacks should have been once paid in gold, because the Government had given its pledge so to do, but one payment was enough. When the holders of greenbacks or Treasury notes had once demanded and received payment in gold the paper debt should have been canceled.

"If the Democratic delegates to assemble at Chicago can devise and agree upon a plan by which when hereafter a greenback or Treasury note has been presented at the Treasury and paid in gold the paper evidence of debt shall not be reissued, but shall be destroyed, the presentation for redemption will substantially cease, and no more issue of Government bonds will be required. If the tariff revenue shall be insufficient for appropriations let that revenue be increased on a revenue basis, and in a way not to add to the working expenses of our farmers who must produce their surplus at the least net cost in order to compete with India and Argentina.

"If the necessity of bond selling for perpetual greenback redeeming in gold can be removed by a plan which will keep our outstanding paper dollar debt as good as gold, a great step will have been taken to remove the currency tension between the East, on the one side, and the South and West, on the other. Legal-tender greenbacks have never been favored by the Democratic party. The party voted against their creation. The Democratic Supreme Court declared them unconstitutional. A court packed by the Grant administration reversed the decision. The Democracy resisted new greenback emission under the Sherman Law.

"In accordance with its traditions and recent record, the Democracy can now consent at Chicago to stop creating new Government debt, by agreeing that the greenback, once paid in gold, shall never be reissued, and can devise a plan for sound and safe bank-notes. The present volume of four hundred and twenty-three and a quarter millions of silver dollars should be sufficient in the minds of all Democrats until an energetic and intelligent effort can be made by a Democratic President and a Democratic Congress for international bimetallism, which effort my inquiries in Europe have led me to believe would not, as heretofore, be barren of results."

REPUBLICAN JINGOISM.

In reference to the effect produced in Europe by the foreign relations plank in the St. Louis platform, Mr. Belmont said:

"I thought France was even more interested by that than by the portion relating to the silver question and finance. As a neighbor of Spain, France is naturally much concerned in the Cuban question. France has colonies in our hemisphere, and the policy of the Republican party concerning European possession in America directly touches her. French pecuniary and other relations with Mexico, Central America (especially of Panama) and South American States render important in the eyes of Frenchmen what Mr. McKinley may, if elected, do should France have diplomatic differences in those States.

"Europeans do not yet appreciate the real relations of a party platform to the subsequent doings of executive and legislative officials who say they stand upon the platform and are elected in accordance with it.

"Our country would indeed have a stormy time of it if McKinley should be elected and the State Department should literally put in execution the jingoism which presumably Senator Lodge injected into the St. Louis declaration. The Republican party does not heed the wise warning that our party differences cease at the water's edge. It condemns President Cleveland's conduct of our foreign affairs as if he were not an American or had been guilty of impeachable crimes and offenses.

"It would not be easy to describe the amazement produced in diplomatic circles by the report of the waving of a Cuban flag during one of the sessions of the convention. The Temps of June 25th has an article concerning the incident.

"That journal is one of the most potential in Europe on diplomatic questions. It recognized Mr. Grant as the son of a former President, as lately our Minister in Vienna and now as one of the police board of New York.

"A bad aspect of the foreign affairs portion of the St. Louis platform is that it repudiates a sincere purpose to prevent the issue of more greenbacks, Treasury notes and fifty-cent silver dollars. How can any one think that Mr. McKinley could carry out its jingo prospects without gigantic appropriations, more taxes, more bonds and more token dollars? Redemption in gold of our paper money would be as beyond possibility, under McKinleyism, as during our Civil War.

"Of course, the jingo platform was not intended to be taken seriously. If the convention was honest in what it said of the 'gold standard,' after the Republicans had labored for days, weeks and months to keep the word 'gold' out of their platform, it implied a thing accursed."

[SEE LETTER ON THIS SUBJECT, JULY 23, 1896.]

CHICAGO CONVENTION.

(New York Sun, July 7, 1896.)

CHICAGO, *July* 6, 1896.— The Hon. Perry Belmont arrived here to-day to take a hand in the fight against the free-silver men. Nearly every member of the New York delegation is giving more or less earnest support to a different candidate, but Mr. Belmont said in answer to a question:

"My whole interest centers in the platform to be adopted. I have no candidate, because the platform proposed by the free-silver and Populistic elements in the Convention, if adopted, would ruin any candidate. The make-up of the Convention is very disappointing, and it yet remains to be decided how far it can be considered a Democratic convention."

"What, in your opinion, should be the attitude of the New York delegation?"

"Unless the Convention can purify itself of anarchists, and Populists," replied Mr. Belmont, "I will have no interest in the result."

CONFERENCE OF NEW YORK DELEGATES.

(New York World, July 8, 1896.)

CHICAGO, *July* 7.— Nearly two hundred Eastern delegates pledged to sound money got together to-night and for more than two hours discussed what action it would be best to take to-morrow when the silver men carry out the program which they have mapped out.

Senator Gray acted as chairman during the earlier part of the meeting, and when he was expected to leave former Governor Flower took his place.

Every prominent leader from all of the gold States was present, and, the proceedings, unlike those that have been held hitherto, were of the most radical character.

The proceedings of the Convention to-day made it clear that the silver men had no intention of yielding one iota to the gold men, and were

resolved to force through a straightout free-silver platform, and to nominate a thorough-going free-silver candidate.

At the meeting to-night a bolt of the gold men from the Convention was recommended by some, and others advised that the sound-money men go to the polls on election day and vote for the Republican candidate.

* * * * * * *

At midnight former Governor Flower arose and boldly announced that if the 16 to 1 plank were adopted it would be the duty of the sound-money Democrats to bolt. * * *

County Clerk Purroy in an earnest speech denounced the position taken by Mr. Flower. Mr. Purroy said that he esteemed Mr. Flower, but was astounded to hear him utter such treasonable remarks. Mr. Purroy wanted to know if Mr. Flower was in favor of undermining the Democratic party and was plotting to assassinate the nominee of the National Democratic Convention. * * *

Perry Belmont said:

"I do not care to say that I am in favor of a bolt, but I am not inclined to support the action of a convention that has been turned over to the Populists. Tillman can not control me. Altgeld can not compel me to yield to Populism. If the rest of the delegation agree to go out of this Convention, however, I am willing to go with them."

Former Mayor Hugh J. Grant said:

"Before deciding definitely what action to take it would be better, I think, to wait until the full delegation is present."

Delegate Gorman opposed a bolt. He said that it would be an act of treason for Democrats to leave the Convention.

Congressman William Sulzer agreed with him.

"I will support the platform," he said, "as well as the candidate, and if all the members of this delegation decide to go out I will remain." Mr. Sulzer then turned to Mr. Belmont, and shaking his finger at him, said: "You may have personal reasons for agreeing to take part in a treasonable action."

Mr. Belmont jumped to his feet and said that he did not desire to hear expressions of that character.

Mr. Sulzer.— The delegates who are talking of a bolt are stabbing the party in the back.

[Frederick R. Coudert and William C. Whitney addressed the meeting in favor of not following the silver men.]

ADJOURNED MEETING OF NEW YORK DELEGATION.

(New York Herald, July 9, 1896.)

The New York delegation held its adjourned meeting in the Auditorium this morning. Mr. Whitney held a brief conference with several leading men of the delegation and listened to their account of Mr. Sulzer's attack of the silver craze with sorrow.

In view of the fact that several other New York delegates were in favor of taking part in the Convention and going home and supporting the ticket it was decided to play a little game of politics at this morning's meeting. Mr. Whitney asked those members of the delegation who were strongly in favor of a bolt to express their views emphatically. Then he arranged that he would make a speech advising the policy of "masterly inactivity," which had been agreed to. This, he believed, would satisfy the men who wanted to bolt and would keep in line the men who want to accept, as Mr. Sulzer does, any candidate on any platform.

Perry Belmont was the first speaker at the meeting. He favored a bolt. The free coinage of silver, he said, was not the only thing the old-time Democracy must fight. Behind the Populistic elements in the Convention were lurking other anarchistic and socialistic elements, whose proposals would follow in the train of free silver. He had been advised to abandon the radical stand he had taken in Chicago in view of his possible candidacy for office in New York State. But, whether he was or was not a candidate for any office, he said, he could not put himself in line with the men who were leading the majority of this Convention into still more dangerous doctrines than the free silver heresy.

De Lancey Nicoll said that he could ont see how the New York Democrats could do anything but bolt. They were on record against the free silver program. In their State Convention they had declared against the financial policy which contemplated party dishonor and business dishonesty. Yet this Convention deliberately proposed to adopt a policy of dishonor and dishonesty. He asked how the New York Democrats could take further part in this Convention if it should adopt a platform for the free coinage of silver at a ratio of 16 to 1.

Former Governor Roswell P. Flower then left the chair and addressed the delegation.

Mr. Whitney said in closing:

"The only argument in favor of a bolt is that it would be a more impressive way of showing our displeasure at what is done. I have stated my own views in this matter and also the views of Senator Hill. He fully agrees with me that we should not walk out of the Convention, but that we should adopt a policy of not voting for candidates for President, and adhere to that policy, no matter what steps should be taken by the free silverites to compel us to vote."

Senator Thomas F. Grady moved that the policy suggested by Mr. Whitney be adopted by the delegation.

Mr. Whitney said he would not like to have that done now, in the absence of Senator Hill, who had given this matter a great deal of thought. He said there would be time enough for this when Senator Hill got through with the Committee on Resolutions and could meet the New York delegates on the floor of the Convention, or elsewhere, to talk it over.

The delegation then adjourned, and the general understanding was that Mr. Whitney's views would be carried out.

A careful poll of the New York delegation showed the following division as to preferences:

FAVOR A BOLT.

Roswell P. Flower, Frederick R. Coudert, Perry Belmont, James E. Bell, Bernard Gallagher, Franklin Bartlett, John R. Fellows, C. C. Baldwin, Frank M. Scott, De Lancey M. Nicoll, Hugh J. Grant, Norman E. Mack, John D. Crimmins, Arthur A. McLean, Jacob H. Clute, Charles Tracey, Edward T. Stokes, Thos. E. Conway, Henry W. Bentley, James C. Truman, Thos. M. Osborne, James A. Hanlon, E. A. Dodgson, Erickson Perkins, James L. Whalen, Wilson S. Bissell. Total, 26.

FAVOR "MASTERLY INACTIVITY."

David B. Hill, Jacob A. Cantor, W. A. Hazard, James Hart, P. J. Carlin, John Delmar. Bird S. Coler, Daniel Ryan, John O'Keefe, James Moffett. Rudolph C. Backer, Thomas F. Grady, Amos J. Cummings, John F. Ahearn, H. M. Goldfogle, J. C. Sheehan, J. W. Boyle, William Sulzer, Geo. B. McClellan, J. A. O'Gorman, Thomas F. Gilroy, John F. McIntyre, H. D. Purroy, Francis Larkin, Jr., Frank Comisky, J. W. Hinkley, J. G. Van Etten, E. J. Malloy, James Purcell, J. H. Brown, Gerard Smith, Thomas Spratt, R. P. Anibal, F. C. Schraub, J. R. O'Gorman, Clinton Beckwith, Elliot Danforth, William B. Kirk, D. Munro Hill, H. V. L. Jones, E. F. Babcock, J. F. Barnes, D. N. Lockwood, J. B. Mayer, Thomas Troy, Thomas O'Connor. Total, 46.

NEW YORK'S PROTEST.

(New York World, dispatch, July 10, 1896.)

To the Editor of the World:

The plan adopted by the delegation from New York satisfies me in every particular. The delegation will make a protest, both against the platform and the candidates nominated, of such an emphatic character as to leave no doubt of the position which the delegation occupies.

So far as I am concerned, neither the platform nor the candidates nominated will be supported. That is all I feel at liberty to say at this time.

PERRY BELMONT.

CHICAGO, *July* 9, 1896.

[SEE ADDRESS TO CONSTITUENTS, ON THE WORK OF THE CHICAGO CONVENTION, JULY 24, 1896.]

THE FREE-SILVER PRESS AND THE FRENCH MONETARY SYSTEM.

(New York Evening Post, July 23, 1896.)

To the Editor of the Evening Post:

Sir.— I am very much obliged to you for having corrected in to-day's Evening Post the misquotation and misinterpretation, on the part of certain silver organs of the Southwest, of a recent statement by me.

What I said was, that Mr. Magnin, Governor of the Bank of France, told me, "that the French monetary system of free gold coinage and no more silver coinage for the present, and plenty of Bank of France notes redeemable in gold and silver at the option of the bank, is excellent and satisfies every one."

These are the exact words used in repeating Mr. Magnin's statement, and, as you justly assume, nowhere and at no time was there anything said by me which could be fairly interpreted as meaning "that the Bank of France maintains the parity of both gold and silver in that country by paying out both metals indiscriminately at its own option."

PERRY BELMONT.

NEW YORK, *July* 22.

(The following is the editorial of the Post, quoted.)

The silver organs of the Southwest are making much of a statement, which is credited to Mr. Perry Belmont, that the Bank of France maintains the parity of gold and silver in that country by paying out both metals indiscriminately and at its option. From this it is argued by the silver organs that we could do the same if the Treasury would exercise the same option. The fact is that parity between the silver five-franc pieces and the gold coins has been maintained by stopping the coinage of silver and restricting the amount of five-franc pieces to the quantity in circulation twenty years ago. This was an act of the Government, not of the Bank of France, which is a private institution, owned and managed exclusively by the shareholders. It is true that the bank does exercise an option in paying out silver or gold when its notes are presented for redemption. It makes a profit by doing so — that is, it swells its own dividends. If a million francs of gold is called for, and the bank sees a chance to "turn an

honest penny," it offers its customer half a million in gold and half a million in silver. The customer says, "No; I must have it all gold, because I want to send it out of the country and foreigners will not take silver." The bank has made a calculation that it will cost the customer, say one-eighth per cent. to sort gold out of the circulating medium of the country, and that it can, therefore, safely charge one-tenth per cent. premium on the gold which it pays out, which premium is profit to itself. This is the whole mystery of the premium on gold in France. Of course, the bank exercises a discretion in this matter. Sometimes it charges a premium and sometimes it does not. The operation has nothing whatever to do with maintaining the parity of the two metals. In fact, it produces the only disparity which exists there. If the Government of France should go in for the free coinage of silver, parity could not be maintained a single day. Mr. Perry Belmont knows of these things, and is a sound-money Democrat through and through. It is evident, therefore, that the silver organs in the Southwest have either misquoted him or misconceived his meaning.

[SEE INTERVIEW, JULY 6, 1896.]

REPUDIATION OF THE ACTION OF THE CHICAGO CONVENTION.

ADDRESS TO CONSTITUENTS.

July 24, 1896.

To the Chairmen and Members of the Democratic County Committees of Suffolk and Queens Counties:

Fellow Democrats: It is your right, Democrats of Suffolk and Queens counties, to expect of me, and it is my duty as your delegate to the recent Chicago Convention, to render an account of what was done there and of the considerations which controlled my course. If to make such a report is unusual, the unprecedented situation of our party demands it. Besides, I wish once more to express to you my grateful appreciation for the many favors I have received at your hands.

That would have been the case under any circumstances, but especially is it so since the result of the recent Convention has been a divergence of opinion — temporary, let us hope; permanent, let us not believe — among members of the great National party organization which has been the party of our association, our fidelity, our pride, and our patriotic hopes.

I went to Chicago as your delegate with the same solicitude I had felt during many months over the possibility that the results of the industrial and financial depression, beginning in 1893, had set on foot remedial schemes which the Democracy of New York could not approve. I thought I saw signs of the coming storm, and began more than a year ago in the endeavor to do what I could to point out the danger.

I was moved by personal as well as public reasons.

The National Democratic party, embracing the whole union of States, is the party of my inheritance from an honored father, whose devotion to it is well known to many of you, now no longer young men, especially in the county of Suffolk.

It is the party of my deepest patriotic convictions. If nothing else had moved me, it would have been painful to me to participate in the disruption, even the most temporary, of an organization of whose National

Committee he had been chairman during twelve consecutive years, and to which he had for nearly half a century given the efforts of his active mind.

It was especially to the financial issues, which during that long period interested the country, that he gave his best thoughts. For whatever knowledge and opinions I may have of coinage and currency I am largely indebted to him and to the multitude of letters, private and public, and to the speeches which he has left behind for remembrance and guidance.

I am sure that you, at least, many of whom were my father's neighbors and his Democratic associates, will pardon these passing allusions to his name and the memory of his Democratic labors.

The newspapers have told you, with more or less of detail, what took place at Chicago.

If I am asked more especially what constrained me, as your delegate, to protest in such a very peremptory way against the conduct of the majority, I would say it was because the proclaimed policy and purpose of the majority were believed by me to be in disregard of the traditions of the National Democracy, as well as of the frequently-expressed and well-known ideas of our own New York Democracy, in that:

First. Such policy and purpose would result in silver monometallism, which the National Democracy has never advocated, and which the New York Democracy has ever condemned.

Second. The adoption by the National Democracy and the execution by Congress of such a policy and purpose would, we of New York believed, result in the impairment of the obligations of contracts (which impairment is foribidden by the Constitution under which we live), and in the dishonor of the United States and of the State of New York.

Finally. Even the agitation in the Presidential year of such a policy and purpose would postpone recovery from the industrial depression and disaster into which our country was cruelly plunged, in 1890, by the McKinley tariff and by the Sherman Law (aided by what is known as the "Baring failure" in London, with the resulting world-wide business panic), from whose effects everybody, the rich and the poor, and especially our farmers, is now suffering intensely, and all of whom will suffer more if they follow false leaders and false issues.

Personal and political advantage sink into insignificance and should be set aside altogether when National honor is threatened and the safeguards of our Constitution and Supreme Court are assailed.

I do not use the word "Populist" as a term of opprobrium or of abuse, but as a classification to describe a body of our citizens who either have been Republican up to this time or who have rejected and repudiated Democratic principles and traditions. Nor do I intend to assail their

motives. I prefer to believe, so far as it is possible to do so, that all great parties in our country have for their primary object the greatest good of the greatest number, but the voter should weigh well before he decides upon this vital issue — so vital to the country and to himself. He ought also to decide who is best qualified to present the issue to his mind, who is ambitious for place, who places the country and its prosperity above party.

Let us not be carried away by prejudice or emotion whether against section or class. There is no section or class unless by our own making. National and individual interests are bound together in a common, general welfare of all the people of our country.

DEMOCRATIC TRADITIONS.

When we speak of Democratic traditions, we refer, not only to opinions of certain individuals in the organization, but also to the general policy and tendency of the organization itself. The Democratic party had, as we all know, its beginning and establishment in the inauguration of Jefferson as President on March 4, 1801.

He, as Secretary of State, had much to do with formulating our first Coinage Law nine years before he became President. His recorded opinions disclose that he aimed at an international system of coinage. France matured at about the same time her coinage system. Jefferson did not seek merely a local currency, but urged the coinage of dollars worth as much intrinsically, and available for as much, in Paris as in Boston, New York or Richmond.

The coinage established almost simultaneously by the United States and France a century ago had the same general plan. The unit of France was a franc, ours was a dollar. Both nations endeavored to make a certain number of ounces of silver equivalent as money to one ounce of gold. It may be debatable in each case whether silver or gold was then the unit and standard, or whether there was a double unit and standard. The question is not now important. If silver was the standard, the gold coinage was to conform thereto. If gold was the standard, the silver coinage was, in like manner, to conform thereto. Equivalence of intrinsic worth was the aim. The two countries did not, unfortunately, hit upon the same coining ratio. France chose fifteen and a half; we took fifteen, on the recommendation of Hamilton.

The inevitable consequence was that, as an ounce of gold bought at Philadelphia only fifteen ounces of silver and in Paris fifteen and a half, the gold went to Paris and left us with silver alone. After forty-two years of trial, Congress, in 1834, changed our coining ratio, in order to

obtain the sought-for intrinsic equivalence. Congress preserved the size of the silver dollar and the weight of pure silver therein (the number of ounces of pure silver in our dollar has never changed), but diminished the weight of gold in our gold coins so as to make the ratio about 16 — 15.9884, to be exact — while that of France remained at fifteen and a half. Then it happened that, as it took sixteen ounces of silver in Philadelphia, and only fifteen and a half in Paris, to get an ounce of gold, our silver went to Paris and gold alone remained with us. All this is familiar and elementary knowledge, but it is essential now as showing that the effort in 1834, as in 1792, was bimetallic, and the purpose was to secure perfect bullion-worth equivalence as between the two coinages of gold and silver, both in their purchasing and their debt-paying power.

President Jackson was at the time of the change the most advanced champion of the gold standard. The National Democracy, led in the South by Benton — "Bullion Benton," as he was familiarly described — then stood for Government hard money against Government paper currency. Benton declared that the object of his endeavors was:

"To enable the friends of gold to go to work at the right place to effect the recovery of that precious metal which their fathers once possessed, which the subjects of the European Kings now possess, which the citizens of the young republics to the south all possess, which even the free negroes of San Domingo possess, but which the yeomanry of this America have been deprived of for more than twenty years, and will be deprived of forever unless they discover the cause of the evil and apply the remedy to its root."

This ratio of sixteen — a mistaken one in an international sense — gave to our country American circulating coins which were almost entirely gold. There was hardly any silver, even for small change. During the whole period, from 1792 to 1873 (in which last-named year, or thereabout, both the United States and France stopped coining full legal-tender silver coins), only some eight millions of silver dollars had been coined in our country, and about ten times as much of subsidiary silver, such as halves, quarters and dimes.

From 1834 to 1860, when the war of secession commenced, our full legal-tender coinage in circulation was practically all of gold. If coins were then the basis of our bank reserves they were of gold, not silver. The Federal Government had, up to 1860, no other legal-tender money than coined money. After Jackson made the United States Bank "an obsolete idea," the banks of our several States supplied, up to 1863, all the paper currency of the country, and it was not legal tender.

From Jackson to Lincoln was the era of the independent Subtreasury system, when all taxes and appropriations were paid in coins and the Federal Treasury had no lawful association with banks, or even with banking methods. When that Democratic, independent Sub-Treasury system had been perfected, during the administration of Van Buren, taxes and tariff duties were paid into the Treasury in Government coins. The coins were securely kept in the Treasury vaults and the appropriations made by Congress were paid in such Government coins. Then a silver dollar was worth more than a gold dollar. There were no legal-tender paper dollars emitted by the Government in those days to be redeemed by the Treasury, such as the Populists now endeavor to inflict upon the country as a permanent system under which Congress is to regulate the quantity of our currency. When all our legal-tender money is made solely of the precious metals nature regulates its quantity, and not Congress.

Under a perfect system of free coinage, it is individuals who would regulate the number of our gold and silver dollars by taking the bullion to the mints to be coined into money. Populists dislike such restraints, and, therefore, demand Government paper dollars. They prefer that the quantity of our legal-tender money, our fundamental money, and the price of our property shall be in the hands of Congress, to be manipulated for selfish and party purposes.

The Democrats of New York do not approve that.

The period from 1792 to 1873 was, in law, an era in our country of international bimetallism in association with France, although in practice we were monometallic. During the first period, down to 1834, we were silver monometallic; during the second, down to 1873, gold monometallic. The two countries began together free bimetallic coinage in law, and they suspended almost simultaneously.

During the last quarter of the present century, there has been free coinage of gold in both countries, but not of silver, although, after Lincoln, our country entered upon an era of greenbacks, when silver disappeared and little gold was either coined or used; yet, from 1834 to 1878, the only full legal-tender coinage we had in circulation was of gold, and, in fact, during the war of secession, gold was the only money in use good for tariff duties and the public debt. Even since 1878 silver dollars then authorized to be coined have not had full legal-tender power, provided the contract called for gold. The whole network of Congressional limitation of a legal-tender faculty began in 1862 with the greenbacks.

When in that year the Republicans proposed to emit a greenback debt and make it a legal tender, the Democrats in Congress resisted the law

with all the votes they had; yet at Chicago we were expected to right-about face and affirm that all paper currency should be issued by the United States, and become full legal tender.

Nowhere, in any National Convention, has the united Democracy heretofore proposed or advocated a silver monometallic coinage or a silver standard or greenback debt to be made legal-tender currency. In no National Convention has the Democracy stood for such full legal-tender greenbacks. The Democratic party in Congress did not advocate the Gold Monometallic Coinage Law of 1873, which stopped the coinage of silver dollars, and is now on the statute books in full force and vigor — a copy, in effect, of the English Coinage Law of some half century before.

The Democracy have along, since 1873, made international bimetallism their goal, but at Chicago we were asked to take a step which we believed was in opposition to international free bimetallic coinage. Since 1879 our industries have been on a gold standard basis. No National Convention, Democratic or any other, has proposed a modification of the standard. During a quarter of a century silver has been on our statute book subsidiary to gold, as it has been in France, in the Latin Union, and, in fact, everywhere in Europe. The demonetization of silver was European in origin. Both parties in our country have at times endeavored to remonetize silver by the same international action that accomplished its demonetization. It is as true that Democrats in Congress did not urge the Gold Monometallic Coinage Law of 1873, now in force, as it is also true that, since the disastrous effects of the Sherman Law have been witnessed, New York prefers to uphold the former law until international bimetallism may have arrived.

The New York Democracy condemns the greenback legislation of 1862, the National Banking Law, the Republican inflation bill of 1874, the Greenback Reissue Law of 1878, the Sherman Law of 1890, and, on the 24th of June last, condemned precisely what the Populists and Silverites have done at Chicago. The Republican party is responsible for that vicious legislation; and when in 1890 its effect was seen, that party, having full control at Washington, could have restored order in our currency, but it did not.

Mr. McKinley said the other day: "The Republican party put the currency on a safe and enduring basis." It did not. It enacted the Sherman Law instead. It could, if it had been earnest and persistent in 1890, have provided sufficient revenues, withdrawn redundant currency, put a stop to the endless-chain redemption and provided against the necessity for the buying of gold by new bonds in the future. It did none of these things. It refused to do them, because it wished to catch the so-called silver and Populist vote.

LEGAL TENDER.

When the Republicans came into power, in 1860, the Government at Washington had only two kinds of dollars and legal tenders — silver and gold, but chiefly gold. Now it has seven kinds of dollars — gold, gold certificates, silver, silver certificates, National bank notes, greenbacks and Sherman Treasury notes.

Of these only the gold dollars are full legal tender. The silver dollars are not, by the law of 1878, a full legal tender when the contract "expressly" calls for other dollars. The greenbacks are not legal tenders for duties and interest on the public debt. The Sherman notes are such legal tenders as are silver dollars. Gold certificates, silver certificates and bank notes are not at all legal tenders. Under existing laws no silver dollars can be coined except out of bullion now in the Treasury and for the redemption of Sherman notes. No more greenbacks or Treasury notes can be emitted under existing statutes.

What legal-tender power will silver dollars have under free coinage on the ratio of 16 to 1 if the Populists and the Silverites shall prevail and control legislation?

The American Bimetallic League told the country, in the address issued at the conference held in Washington on the 29th of January last, that the new silver dollars were to be on an "exact equality" with gold dollars as before 1873; that they were to be full legal tenders "for all debts and dues, public and private," and that all coin obligations of the Government should be paid in those silver dollars, "at the option of the Government."

At present the creditor of the Government has this option. But all this is to be changed, for there can be no doubt concerning the purposes of the Populists and the Silverites. It is their chief pretension that the depression in our industries comes of Government debt paying and Treasury paper-dollar redeeming in gold. They intend to stop it. They proclaim that the new silver dollars are to be called legal tender for all "debts" due in dollars.

A "debt" is a contract to pay a certain sum of money. A contract to deliver wheat or bullion is not a "debt." All debts are contracts, but not all contracts are debts. The Populists and Silverites mean that Congress shall declare the new silver dollar to be legal tenders for all debts contracted in "gold dollars." They may not intend to cover contracts to deliver "gold dollars of present weight and fineness." They may say such are not "debts," because they call for a commodity, namely, a specified quantity of bullion.

THE DISHONOR OF IT.

The indebtedness of our country is susceptible of division into two parts. There is the debt of the Federal Government and the debts of States, cities, counties, towns, corporations and individuals. Both can by legal-tender laws be impaired by Congress. The debt of the Federal Government is $750,000,000 in bonds, and nearly $500,000,000 in greenbacks and Sherman Treasury notes, making $1,237,624,596 in all.

Let us deal first with the Government debt, all of which, since 1879, has been, in actual practice, redeemable, and redeemed in gold. That practice the Populists and Silverites propose to change. In addition to the greenbacks and the Sherman Treasury notes there is a large mass of silver certificates which have been treated as gold certificates. The pretense under which it is contended that the bonds and the interest thereon can be paid in the new silver dollars is that the bonds were emitted under the statute of July 14, 1870, which declared that the bonds were redeemable "in coin" of the then standard value; that full legal-tender coins then included silver dollars (although there were very few, if any, of them in existence, since their coinage was stopped in 1873), and that redemption in the new silver dollars shall follow, regardless of the fact that their value, when free coinage sets in, may be only about fifty cents.

This is what the Government said to you and to everybody who bought its bonds — printing it on the face of the bonds, where you could not miss seeing it:

"This bond is issued in accordance with the provisions of an Act of Congress, entitled 'An act to authorize the refunding of the National debt, approved July 14, 1870,' amended by an act approved January 20, 1871, and is redeemable at the pleasure of the United States, after the 1st day of July, A. D. 1907, in coin of the standard value of the United States, on said July 14, 1870, with interest, in such coin, from the day of the date hereof, at the rate of 4 per centum per annum, payable quarterly, on the first day of October, January, April and July in each year. The principal and interest are exempt from the payment of all taxes or duties of the United States, as well as from taxation in any form, by or under State, municipal or local authority."

"Coin of the standard value," etc., "on said July 14, 1870." "What does that mean?" "Value" is price defined in the monetary unit. What was the price in 1870 of a silver dollar? It was more than one hundred cents in gold. Why was the standard fixed as that of 1870? In order to

protect the holder and the Government against change in the value of the silver dollar caused by changes in coinage laws or by other legislative causes.

The silver dollar of payment must thus, under the law of 1870, be intrinsically and everywhere equivalent to the gold dollar. But the Populists and the Silverites now propose by law to reduce the value of the silver dollar below parity with gold, and then pay your bonds and greenbacks therewith. Remember that you who are holders of the debt can not sue the United States and get a judgment of the Supreme Court on the transaction. It would cost, in lawyers' fees, a small holder of the debt more than the whole value. It is now proposed by free-silver coinage and by a legal-tender law to take away a large percentage of your property in the bonds, for which you paid gold, accepting a low rate of interest, because you expected to get back gold. An *ex-post facto* tax could, with as much justice, be levied on your bonds as a coinage law could be enacted, of which the purpose and effect would be to reduce the value of your property.

It is claimed by the Populists and Silverites that gold has risen in value since 1870, and that more produce must be sold by the farmer to pay his taxes, made necessary to enable the Treasury to get the gold with which to pay, in gold, the Government debt. That debt you hold, and, therefore, Congress would repudiate your honest claim for gold, according to their theory and purpose.

This plea disregards the fact that you consented to a low rate of interest because of the gold payment promised, and the further fact that, had you been told you were to be paid in inferior dollars, you would have insisted upon a higher rate of interest. I do not believe there is a Democratic farmer in all of Suffolk or Queens, not owning a Government bond, who will vote for this Populist and Silverite contention in order that a neighbor holding bonds may be compelled to accept fifty-cent silver dollars.

There are things in this world more important than money and harder to bear than taxes, and chief among them is the feeling that a man has been dishonest and dishonorable toward his neighbor. No Democrat in Suffolk or Queens county wishes to transmit that reputation as a legacy to his children.

IMPAIRMENT OF CONTRACTS.

We have dealt with the Government debt. Let us now consider for a moment the debts of the State, as well as of the city of New York, of Suffolk county, of Queens county, of the railroads and other companies, including savings banks, and of individuals whose obligations in some

form you may hold. Nearly all of these have, I dare say, been contracted since the specie payments were resumed and the gold standard was fully recognized in 1879.

When you made your investment you paid gold or its equivalent, either in money or services.

The Populists and Silverites do not intend that you shall have gold in return. The greenbacks are, as I have said, Government debt. In 1869 the law promised to pay them in "coin." In 1873 the law stopped coining silver dollars. In 1878 the greenbacks were redeemed in gold and reissued. The greenbacks you hold were issued after that year. Congress, the law and the Treasury have since then promised, time and again, to redeem them in gold, if you preferred. In like manner, all debts besides National debts specifying dollars and contracted since 1879, when gold specie payments were resumed, are in equity and common honesty payable in gold dollars whenever required.

DOLLARS AND DEBTS.

You may naturally ask how is it that if you have loaned dollars in 1880, under a lawful contract, by which you are to be repaid dollars in 1900, with interest, Congress can interfere with the contract? It has come about in this way: In some countries, during the early period of history, sovereigns and rulers clipped and debased coinage for their own purposes, and when a creditor refused to accept the reduced coins and sued at law to get such good coins as he had loaned, the courts, servile to the sovereign, decided that the contract implied that coins to be given in payment were those prescribed by the sovereign as lawful at the time the payment fell due, and not at the time of the contract. That was made the common law of England, and our courts accepted it as our law.

"Dollars" is a word used in our Federal Constitution. Congress, in 1792, made a dollar a unit of value and of all accounts, and embodied that unit in a specified number of ounces of gold. In 1873, twenty-three years ago, Congress embodied that unit in a gold piece of twenty-five and eight-tenths grains. It is the unit to-day, and has been since 1873. Congress, in 1792, made the then unit a full legal tender. In order to provide a legal tender until such time as our mints could make our own coins, Congress made certain foreign coins a legal tender, but hardly anybody loaning money from 1792 till the Republican Greenback Law of 1862 specified the kind of dollars. There was no controversy over the "dollar" of payment. Everybody felt that Congress would preserve, as it did, the uniformity, year after year, of the purchasing and debt-paying power of our "dollars" in silver and gold. No legal-tender paper

"dollars" existed from 1792 to 1862. After the Republican party created legal-tender greenbacks, all was changed. Then contracts began to be expressed in gold dollars of "present weight and fineness" in coined dollars of "the standard value" when the contract was made. That became necessary because a packed Supreme Court declared that Congress could make anything to be a dollar, even a round piece of leather, and a creditor who had loaned gold dollars could be compelled to accept the leather dollars in discharge of an antecedent contract to repay "dollars." That Greenback Law of 1862 and that Supreme Court decision have created, to a great extent, our present monetary trouble, because the Populists and Silverites are using them as an argument for the creation of new fifty-cent silver dollars, with intent to enable debtors to scale down their obligations one-half.

A large and constantly-increasing part of the debts incurred in recent years by railroads and other companies are in "gold dollars," or in "gold dollars of present weight and fineness," although ordinary contracts have been in "dollars" without qualification. When a man is selling anything, he can refuse to deliver unless the dollars suit him, but when the payment is deferred, he is at the mercy of Congress defining the dollars, a fact of which the Populists and Silverites propose to take advantage. If they were honest in making their new silver dollars, they would declare and pledge that these should not be legal tender for antecedent debts or contracts during the seventeen years Congress has put us and has kept us on a gold-dollar basis. Congress should try to keep the purchasing and debt-paying power of our dollar the same yesterday, to-day, and always. At any rate, Congress should not change the dollar solely to benefit the debtors.

Who are the so-called "creditors" in this country so vitally interested in settling this great question? They have recently been aptly described as follows:

All persons who work for wages, salary, or by the piece; all members of building and loan associations; all depositors in savings, National, State or private banks; all holders of life, fire and accident insurance policies; all members of benevolent and fraternal insurance orders; all holders of industrial insurance; all widows, orphans or wards dependent wholly or partially upon the income from investments; all educational and charitable institutions dependent wholly or in part upon the income of their endowments.

The Populists and Silverites say that Germany, France and the United States, some twenty-three years ago, stopped coining full legal-tender silver, and so have doubled for debtors the cost of a gold dollar. But

even if that be so, do not nearly all the present debtors receive a two-hundred-cent dollar? Do not wage-earners now give two hundred cents in work? Why, then, permit by a new legal-tender law debtors to return only fifty cents? The Populists and Silverites here and there pretend that independent free coinage will double the present price of silver, and thereby put gold and silver dollars at par. If the silver dollar is to be elevated to the gold dollar, what will it benefit the debtor?

A certain class of scientific experts in coinage and money have had a lesion in their moral perceptions by a long study of phenomena which they describe as scientific. One of them, the Vice-President of the British Bimetallic League, has written to the July National Review of London:

"There remains the class of debts payable in dollars current, or in 'coin.' In this class are included a great quantity of railroad and other bonds, a miscellaneous mass of current commercial loans, bills and credits, and nearly the whole of the United States public debt. In regard to all these loans, there is not, and never has been, any obligation to pay in gold; the lenders have taken the risk of the currency, and have no ground of complaint if the dollar be changed in material pending repayment, however much they may grumble at its depreciation."

The writer may be correct if the coined dollar has depreciated in power by natural causes not to be anticipated or prevented, but what if the coined dollar has been reduced in weight, or, for a party purpose, the purchasing power of a dollar is by law intentionally diminished? It is to be hoped that the writer will abstain from applying his standard of honesty in the United States.

FREEDOM OF CONTRACTS.

Our Populists and Silverites discern that, even if they capture Congress and the Presidency, and create fifty-cent silver dollars and put the country on an Asiatic silver basis, contracts may nevertheless be made in gold and banks keep gold account. Therefore, certain of the leaders threaten to prevent that by statute. They foresee that, as California did thirty years ago with greenbacks, the States and the people generally may reject the new silver dollars, and those who, by free-silver coinage, get them from our mints, may have them on their hands, valueless except for paying taxes. Banks may refuse them as a reserve. Even the Treasury could not get rid of silver dollars until it turned them into paper certificates. Can individuals do any better? To meet those possible difficulties the Populists and Silverites say they will enact a law depriving their countrymen of the freedom to make contracts.

RETURN OF CONFIDENCE AND CREDIT.

That our country is not at present in industrial and commercial prosperity we all know. There was prosperity, beginning about 1880, when the specie resumption was under way, and it continued to 1890. There were sanguine persons who then imagined the accounts of the world would thereafter be written in the ledgers of New York. What brought on the change and panic of 1892 and 1893, the consequences of which yet oppress us? It seems almost fanciful to say that great panics come to us every twenty years, but they have done so. One in 1837, one in 1857, started by a trust company in Cincinnati; one in 1873, and the last in 1893; of course, there is a local cause. The periodicity has not been the same in France and England. Has it not come by our unstable taxes and currency legislation?

Exceptional international influences were felt in 1890, and one was the collapse of the Barings, the great London banking-house, which dealt with all the world, exploited South America, and had outstanding acceptances in every country. When that great failure was seen to be serious, every banker was alarmed. Capital was called home, credit withdrawn, banks refused loans, individuals ceased their investments. All the United States was affected. Our bonds and stocks held in Europe were sent back for sale, loans to us were called for payment.

All that was serious, but probably our country could have successfully encountered the storm had it not been for those triple evils, the McKinley tariff, the Sherman Law and the failure to retire greenbacks and otherwise put in order our National finances. President Cleveland and Congress removed two of the causes; but disorder and distress remained, because the Populists and Silverites in the Senate would not tolerate adequate treatment of the $346,000,000 of greenbacks and $150,000,000 of new Sherman Treasury notes, inflicted upon the country to be perpetually redeemed in gold, and because they would not consent to legislation providing new bonds with which to buy gold advantageously or to the framing of laws making new bonds unnecessary. The foreseen consequence is that investors do not now, as before, furnish the needed capital for new enterprises, or, indeed, to carry on the old ones. There came a collapse of confidence and credit with the inevitable result of falling prices.

It is as bad for our farmers and traders as if millions of currency had been withdrawn and canceled, when confidence in our finances is shaken. When credit is withdrawn from our captains of industries prices in our country must fall. Whoever would construct a safe theory of the general fall of prices during the last half century, and since the augmented

popularity of the gold standard, which began after the discovery of new beds of that metal in California and Australia, must, I think, go deeper than do the Populists and Silverites, who ascribe the fall to the increased use of gold and the diminished use of silver. Production, transportation, new distribution, new inventions which have increased the efficiency of labor and reduced the money outlay, new uses of electricity and steam, remorseless competition created by reduced cost in the product, the Atlantic cable, laid in 1866; Australia, South America and Africa elevated into cultivation and civilization, improved banking methods — all these must be taken into consideration. Then there are, in addition, China and Japan, not open to us until 1850, in which work of naval diplomacy our country bore a leading part.

Surely the Populists and Silverites will not tell us that the demonetization by France, the Latin Union, Germany, and the United States in 1873 was solely responsible for the fall of prices and at the same time increased wages. Unwelcome as it is, our farmers must realize the fact that severe competition has put under the plow more and more fertile land in Russia, India, Argentina and Australia. In the meantime, the rate of interest which the so-called gold men can get has shrunk very much. I do not doubt that some of you can remember when the rate was nearly twice as much as now. There have been causes sufficient to produce a fall in prices, even had it not been for the almost universal increasing popularity of gold over silver during the last half of the present century.

THE ASSAULT ON SAVINGS.

The Populists and Silverites affirm and reiterate, on every available opportunity, that New York has been since specie resumption began, and is now, the seat of a greedy, rapacious, selfish and cruel purpose so to manipulate the coinage, loanable capital and the monetary affairs of the country as to oppress and injure everyone not in the New York conspiracy, and especially Western and Southern industries. They say that Wall street, in New York, moved by Lombard street, in London, accomplished in 1873 a change in our law either from a silver or from a bimetallic unit of value (whichever was the unit from 1792 to 1873) to a gold-dollar unit; that the coinage of full legal-tender silver dollars was then prevented. The organized movement for that change began in Paris at the international monetary conference in 1867. Prussia had moved first before the war of 1870 against France, and made the change from silver to gold. France and the Latin Union followed suit, and closed their mints against silver. It was only in 1873 that the United

States did the same. Did New York set on foot that movement which was begun in 1867? How would it have been possible for Wall street to put the Gold Monometallic Law on the statute books in defiance of the West and South, or without their knowledge and consent, and why have not the West and South repealed it if they were overreached by Wall street? Why has the whole business of the nation been permitted, and, indeed, required, to adapt itself to the gold standard if such a preponderance of the voters condemned it?

The Populists and Silverites vaguely describe the enemy having its seat in Wall street as the "money power" — plagiarizing the phrase used by the Democrats in Jackson's day to describe the United States Bank, which was resisting the Democratic effort of 1834 for the gold standard.

As Mr. Horace White says in his recent book on "Money and Banking:"

"This was largely a party question, the supporters of President Jackson being generally supporters of the gold bill. The silver standard, it was contended, promoted the circulation of bank notes, because silver was bulky and heavy. The gold standard, on the other hand, would curtail bank-note circulation, because gold was easily handled. Hence, the opponents of the banks, and especially of the Bank of the United States, were in favor of the gold bill."

The Populists and Silverites adroitly leave it to be inferred by the ignorant that only New York controls the "money power." They do not explain that Southern men and Western men — residents of San Francisco, St. Louis, Cincinnati and Chicago — have almost as much to do with it as New Yorkers.

Populist and Silverite contention at Chicago was that a few rich individuals living in New York and in the Atlantic cities either own or control the silver and gold, and greenbacks and Sherman notes, and loanable capital of the country, and will not permit farmers and producers to have any excepting on ruinous conditions.

The institutions for savings, the trust companies and National banks authorized by the Republicans in 1863, private bankers — all were objects of especial vituperation as the agents and instruments which demonetized silver twenty-three years ago, which created the fall in prices, which increased wages, which brought on the panic of 1892 and 1893, and which are now preventing recuperation therefrom.

Where and how do these institutions obtain the money and loanable capital, the employment of which is in their hands? Do they own it? Not at all. They are only the agents of owners in the South and West and throughout the country.

Men and women no longer hoard money in hiding places. It is put in local banks and with local bankers, and taken therefrom as required. The banks and bankers send it to the large money centers for use there, so as to earn something when it can not be profitably employed in the locality. Southern and Western Populists and Silverites complain because the money is not sent West and South, but who is responsible for and can remedy that? Certainly not Wall street or Congress. Under our modern customs money is collected in reservoirs. A sound reservoir drains the surrounding country. It is immaterial whether or not the reservoir is called a bank. The great money center of a country drains the local reservoirs and the money is still owned by individuals in the localities.

It is only on trust in New York to be invested and loaned. Agents of the owners manage the money. Thus the "money power" is not local, but really National, and made up of individual savings and contributions everywhere.

Let me put a case. If there were such a local reservoir in Suffolk county for everyone's savings, and if you were to manage the reservoir and a neighbor came to borrow, would you make a loan to him if you deemed the security inadequate? If you could obtain a better security and higher rate of interest by sending the money to reservoirs in New York or Boston, would you prefer to make a loan to one you knew was active in promoting legislation by Congress to enable him to repay with fifty-cent silver dollars the gold dollars received from you?

WHAT WE DESIRE.

What is it that we desire? It is a revival of our industries and enterprises. For that, credit is the one thing needful. Remove the distrust of those having capital to invest which is now idle. If new railroads are to be built, our factories and workshops strengthened and maintained as they were between 1880 and 1890, money must be borrowed, bonds and shares must be sold. In order to accomplish that the Populists and Silverites unwisely propose to agitate for an immediate overthrow of the gold standard and a radical upturning of our monetary system as set forth in their respective platforms. Will that tend, among the possessors of accumulated savings, to diminish the popularity of gold and the unpopularity of silver? Do you not think that if the Government has manufactured fifty-cent dollars, and compelled you to take for one hundred cents a silver dollar, the Government should always be ready to redeem that silver dollar with a hundred cents in gold?

Such an agitation this summer, as Populists and Silverites have started, can not be useful or beneficial to you. It would have been far better if the politicians everywhere had accepted the advice of the New York Democracy and given our industries a chance to go on in the recovery from the McKinley Law, the Sherman Law and the panic of 1893.

At the final analysis of the conditions in which our country now is comes the critical question, How shall we vote next November? I shall not presume to suggest to anyone how he should exercise his privilege of voting. My own conclusion is definite and fixed. It is to vote the electoral ticket which, I hope, will be in the field, standing for a Democratic candidate for President in whose unflinching courage and loyalty to the gold unit of value as prescribed by the law of 1873 and to Democratic principles I can have the most implicit confidence. And so with regard to candidates for Congress. In respect to State officers, and especially members of the Legislature, the conditions should be the same. Remember, the next Legislature will choose a United States Senator.

PERRY BELMONT.

BABYLON, *July* 24, 1896.

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